

**ARIZONA GAME AND FISH LAWS AND RULES 2011-2012 SUPPLEMENT
LEGISLATIVE AND REGULATORY UPDATES THROUGH TO JUNE 1, 2013**

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TITLE 5. AMUSEMENTS AND SPORTS

CHAPTER 3. BOATING AND WATER SPORTS

ARTICLE 1. GENERAL PROVISIONS

5-301. Definitions

In this chapter, unless the context otherwise requires:

1. "Commercial motorized watercraft" means a motorized watercraft that carries passengers or property for a valuable consideration that is paid to the owner, charterer, operator or agent or to any other person interested in the watercraft.
2. "Commission" means the Arizona game and fish commission.
3. "Department" means the Arizona game and fish department.
4. "Documented watercraft": means any watercraft currently registered as a watercraft of the United States pursuant to 46 code of federal regulations part 67.
5. "Domicile" means a person's true, fixed and permanent home and principal residence, proof of which may be demonstrated as prescribed by rules adopted by the commission.
6. "Motorboat" means any watercraft that is not more than sixty-five feet in length and that is propelled by machinery whether or not such machinery is the principal source of propulsion.
7. "Motorized watercraft" means any watercraft that is propelled by machinery whether or not the machinery is the principal source of propulsion.
8. "Nonresident" means a citizen of the United States or an alien person who is not domiciled in this state and who is not a resident as defined in this Section.
9. "Operate" means to operate or be in actual physical control of a watercraft while on public waters.
10. "Operator" means a person who operates or is in actual physical control of a watercraft while on public waters.
11. "Person" includes any individual, firm, corporation, partnership or association, and any agent, assignee, trustee, executor, receiver or

representative thereof.

12. "Public waters" means any body of water which is publicly owned or which the public is permitted to use without permission of the owner upon which a motorized watercraft can be navigated, including that part of waters common to interstate boundaries which is within the boundaries of this state.
13. "Resident" means a person who is either:
 - (a) A member of the Armed Forces of the United States on active duty and stationed in this state for a period of thirty days immediately before the date of application for a watercraft decal.
 - (b) A member of the Armed Forces of the United States on active duty and stationed in another state or another country and who lists this state as that member's home of record at the time of application for a watercraft decal.
 - (c) Domiciled in this state for at least six consecutive months before the date of application for a watercraft decal and who does not claim residency for any purpose in any other state or country.
14. "Revocation" means invalidating the certificate of number, numbers and annual validation decals issued by the department to a watercraft and prohibiting the operation of the watercraft on the waters of this state during a period of noncompliance with this chapter.
15. "Sailboard" means any board of less than fifteen feet in length which is designed to be propelled by wind action upon a sail for navigation on the water by a person operating the board.
16. "Special anchorage area" means an area set aside and under the control of a federal, state or local governmental agency, or by a duly authorized marina operator or concessionaire for the mooring, anchoring or docking of watercraft.
17. "State of principal operation" means the state where a watercraft is primarily used, navigated or employed.
18. "Underway" means that a watercraft on public waters is not at anchor, is not made fast to the shore or is not aground.
19. "Undocumented watercraft" means any watercraft which does not have and is not required to have a valid marine document as a watercraft of the United States.
20. "Wakeless speed" means a speed that does not cause the watercraft to create a wake, but in no case in excess of five miles per hour.

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21. "Watercraft" means any boat designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water, or as may be defined by rule of the commission.
22. "Waterway" means any body of water, public or private, upon which a watercraft can be navigated. **2012**

TITLE 5. AMUSEMENTS AND SPORTS

CHAPTER 3. BOATING AND WATER SPORTS

ARTICLE 3. REGISTRATION AND TAXATION OF WATERCRAFT

5-322. Motorized watercraft to be numbered; exceptions

- A. All motorized watercraft whether underway, moored or anchored on the waters within the boundaries of the state shall be numbered in accordance with this chapter or rules of the commission in accordance with the federally approved numbering system except:
1. Foreign watercraft temporarily using the waters of the state.
 2. Military or public vessels of the United States, except recreational type public vessels.
 3. Watercraft used solely as lifeboats.
 4. Undocumented watercraft operating under a valid temporary certificate issued pursuant to rules adopted by the commission.
 5. Documented watercraft numbered in accordance with the regulations of the United States coast guard.
- B. Motorized watercraft owned and operated exclusively by the state or by any political subdivision of the state shall be numbered, but no registration fee shall be paid on the watercraft.
- C. All owners of motorized watercraft when in the course of interstate operation displaying a current and valid number issued under an approved federal numbering system of the United States coast guard, a state, the Commonwealth of Puerto Rico, the Virgin Islands, Guam or the District of Columbia shall register such watercraft with the department prior to the expiration of the reciprocity period prescribed by rules of the commission.
- D. All motorized watercraft, when in the course of interstate operation and not required to be numbered in their state of principal operation, shall comply with the requirements of subsection C of this section.

- E. When this state becomes the new state of principal operation of a motorized watercraft displaying a current number issued under a federally approved numbering system, the validity of such number shall be recognized for a period of ninety days. Upon expiration of the ninety-day period and prior to any subsequent use, the owner shall number any motorized watercraft pursuant to section 5-321.
- F. Each dealer or manufacturer in this state engaged in the sale of motorized watercraft using the watercraft for demonstration shall obtain one or more dealer watercraft certificates of number with the current validating decals. Applications, renewal and display of certificates of number shall be as prescribed in this chapter or by rules of the commission, except that the annual fee will be two dollars fifty cents for each certificate of number and accompanying current decals.

2012

5-323. Disposition of fees

Each month monies received from the registration and infrastructure fees received under this chapter for the numbering of watercraft shall be deposited, pursuant to sections 35-146 and 35-147, in the watercraft licensing fund. Each month, the department shall distribute the monies as follows:

1. All revenues collected pursuant to section 5-321, subsection A and section 5-326 shall be allocated as follows:
 - (a) Sixty-five per cent shall be deposited in the watercraft licensing fund. The watercraft licensing fund is to be used by the department for administering and enforcing this chapter, providing an information and education program relating to boating and boating safety and administering any aquatic invasive species program established under this title or title 17. These monies are subject to legislative appropriation.
 - (b) Thirty-five per cent of such revenues shall be further allocated as follows:
 - (i) Fifteen per cent to the state lake improvement fund to be used as prescribed by section 5-382.
 - (ii) Eighty-five per cent to the law enforcement and boating safety fund to be used as prescribed by section 5-383.
2. All revenues collected from any additional registration fees collected

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pursuant to section 5-321, subsection C shall be paid to an account designated by a multi-county water conservation district established under title 48, chapter 22 to be used solely for the lower Colorado river multispecies conservation program and for no other purpose. **2012**

5-324. Public records; identification of requester; supplying information by mail; records custodians; certification of records

- A. All records of the department made or kept pursuant to this article are public records.
- B. The department shall furnish information or copies from the records kept pursuant to this section subject to sections 39-121.01 and 39-121.03.
- C. Persons requesting a copy of a public record pursuant to this section shall identify themselves and state the reason for making the request. The department shall verify the name and address of the person making the request by requiring the person to produce necessary information to ensure that the information given is true and correct.
- D. The department shall not divulge any information from a watercraft registration record unless the person requesting the information provides the following:
 - 1. The name of the owner.
 - 2. The hull identification number of the watercraft.
 - 3. The department issued number assigned to the watercraft.
- E. The procedures required by subsections C and D of this section do not apply to:
 - 1. This state or any of its departments, agencies or political subdivisions.
 - 2. A court.
 - 3. A law enforcement officer.
 - 4. A licensed private investigator.
 - 5. Financial institutions and enterprises under the jurisdiction of the department of financial institutions or a federal monetary authority.
 - 6. The federal government or any of its agencies.
 - 7. An attorney admitted to practice in this state who alleges the information is relevant to any pending or potential court proceeding.
 - 8. An operator of a self-service storage facility located in this state

who alleges both of the following:

- (a) That the watercraft on which the operator is requesting the record is in the operator's possession.
 - (b) That the record is requested to allow the operator to notify the registered owner and any lienholders of record of the operator's intent to foreclose its lien and to sell the watercraft.
- 9. A towing company located in this state that alleges both of the following:
 - (a) That the watercraft on which the towing company is requesting the record is in the towing company's possession.
 - (b) That the record is requested to allow the towing company to notify the registered owner and any lienholders of record, if known, of the towing company's intent to sell the watercraft.
 - 10. An insurance company.
 - F. The department may supply the requested information by mail or telecommunications.
 - G. The director may designate as custodian of the department's public records those department employees the director deems necessary. If a public record of the department has been certified by a records custodian and authenticated as required under proof of records (records of public officials), rules of civil procedure and the rules of evidence for courts in this state, it is admissible in evidence without further foundation.
 - H. Notwithstanding subsection D of this section, information may be supplied for commercial purposes, as defined in section 39-121.03, if the information is transmitted in a machine readable form such as computer magnetic tape to the person making the request.
 - I. The department shall maintain for a period of at least one year a file of requests for information that shall be maintained by the name of the person whose record was requested, except those requests made by government agencies. **2012**

5-326. Nonresidents; registration; payment of fees; exemption

- A. A nonresident owner of a watercraft who establishes this state as the state of principal operation shall register and number that watercraft pursuant to this article and pay an additional boating safety infrastructure fee assessed pursuant to section 5-327 before placing that

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watercraft on the waterways of this state.

- B. A member of the armed forces of the United States who is on active duty and stationed in this state for a period of at least thirty days immediately before applying for watercraft registration is exempt from this section.
- C. The owner shall carry and display proof of payment of the fee required by this section in a manner prescribed by the commission while the watercraft is underway, moored or anchored on the waterways of this state.
- D. Subsection A of this section does not apply to nonrecreational or commercial motorized watercraft.

2012

5-327. Nonresident boating safety infrastructure fee; exemption

- A. In accordance with section 5-326, the commission shall assess a nonresident boating safety infrastructure fee for each watercraft registered in this state by a nonresident as defined in section 5-301. The fees assessed pursuant to this section shall be paid in addition to the fees required pursuant to section 5-321.
- B. For the purposes of section 5-326, subsection A, the commission shall establish the following nonresident boating safety infrastructure fees for the following watercraft:
 - 1. Twelve feet and less \$ 80.00
 - 2. Twelve feet one inch through sixteen feet \$ 88.00
 - 3. Sixteen feet one inch through twenty feet \$192.00
 - 4. Twenty feet one inch through twenty-six feet \$224.00
 - 5. Twenty-six feet one inch through thirty-nine feet \$253.00
 - 6. Thirty-nine feet one inch through sixty-four feet \$286.00
 - 7. Sixty-four feet one inch and over \$429.00
- C. The length of the motorized watercraft shall be measured in the same manner prescribed in section 5-321, subsection C.
- D. Unless the person or watercraft qualifies for an exemption pursuant to section 5-326, no person who is subject to this section shall operate or grant permission to operate a watercraft within the boundaries of this state unless that watercraft displays a valid nonresident boating safety infrastructure decal in conformance with the rules adopted pursuant to section 5-326.

2012

TITLE 17. GAME AND FISH

CHAPTER 2. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND AUTHORITY OF THE STATE

17-101. Definitions

- A. in this title, unless the context otherwise requires:
 - 1. "Angling" means the taking of fish by one line and not to exceed two hooks, by one line and one artificial lure, which may have attached more than one hook, or by one line and not to exceed two artificial flies or lures.
 - 2. "Bag limit" means the maximum limit, in number or amount, of wildlife that may lawfully be taken by any one person during a specified period of time.
 - 3. "Closed season" means the time during which wildlife may not be lawfully taken.
 - 4. "Commission" means the Arizona game and fish commission.
 - 5. "Department" means the Arizona game and fish department.
 - 6. "Device" means any net, trap, snare, salt lick, scaffold, deadfall, pit, explosive, poison or stupefying substance, crossbow, firearm, bow and arrow, or other implement used for taking wildlife. Device does not include a raptor or any equipment used in the sport of falconry.
 - 7. "Domicile" means a person's true, fixed and permanent home and principal residence. Proof of domicile in this state may be shown as prescribed by rule by the commission.
 - 8. "Falconry" means the sport of hunting or taking quarry with a trained raptor.
 - 9. "Fishing" means to lure, attract or pursue aquatic wildlife in such a manner that the wildlife may be captured or killed.
 - 10. "Fur dealer" means any person engaged in the business of buying for resale the raw pelts or furs of wild mammals.
 - 11. "Guide" means a person who does any of the following:
 - (a) Advertises for guiding services.
 - (b) Holds himself out to the public for hire as a guide.
 - (c) Is employed by a commercial enterprise as a guide.
 - (d) Accepts compensation in any form commensurate with the

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market value in this state for guiding services in exchange for aiding, assisting, directing, leading or instructing a person in the field to locate and take wildlife.

- (e) Is not a landowner or lessee who, without full fair market compensation, allows access to the landowner's or lessee's property and directs and advises a person in taking wildlife.
- 12. "License year" means the twelve-month period between January 1 and December 31, inclusive.
- 13. "Nonresident", for the purposes of applying for a license, permit, tag or stamp, means a citizen of the United States or an alien who is not a resident.
- 14. "Open season" means the time during which wildlife may be lawfully taken.
- 15. "Possession limit" means the maximum limit, in number or amount of wildlife, which may be possessed at one time by any one person.
- 16. "Resident", for the purposes of applying for a license, permit, tag or stamp, means a person who is:
 - (a) A member of the armed forces of the United States on active duty and stationed in:
 - (i) This state for a period of thirty days immediately preceding the date of applying for a license, permit, tag or stamp.
 - (ii) Another state or country but who lists this state as their home of record at the time of applying for a license, permit, tag or stamp.
 - (b) Domiciled in this state for six months immediately preceding the date of applying for a license, permit, tag or stamp and who does not claim residency privileges for any purpose in any other state or jurisdiction.
- 17. "Road" means any maintained right-of-way for public conveyance.
- 18. "Statewide" means all lands except those areas lying within the boundaries of state and federal refuges, parks and monuments, unless specifically provided differently by commission order.
- 19. "Take" means pursuing, shooting, hunting, fishing, trapping, killing, capturing, snaring or netting wildlife or the placing or using of any net or other device or trap in a manner that may result in the capturing or killing of wildlife.

- 20. "Taxidermist" means any person who engages for hire in the mounting, refurbishing, maintaining, restoring or preserving of any display specimen.
- 21. "Traps" or "trapping" means taking wildlife in any manner except with a gun or other implement in hand.
- 22. "Wild" means, in reference to mammals and birds, those species that are normally found in a state of nature.
- 23. "Wildlife" means all wild mammals, wild birds and the nests or eggs thereof, reptiles, amphibians, mollusks, crustaceans and fish, including their eggs or spawn.
- 24. "Zoo" means a commercial facility open to the public where the principal business is holding wildlife in captivity for exhibition purposes.

B. The following definitions of wildlife shall apply:

- 1. Aquatic wildlife are all fish, amphibians, mollusks, crustaceans and soft-shelled turtles.
- 2. Game mammals are deer, elk, bear, pronghorn (antelope), bighorn sheep, bison (buffalo), peccary (javelina), mountain lion, tree squirrel and cottontail rabbit.
- 3. Big game are wild turkey, deer, elk, pronghorn (antelope), bighorn sheep, bison (buffalo), peccary (javelina), bear and mountain lion.
- 4. "Trophy" means:
 - (a) A mule deer buck with at least four points on one antler, not including the eye-guard point.
 - (b) A whitetail deer buck with at least three points on one antler, not including the eye-guard point.
 - (c) A bull elk with at least six points on one antler, including the eye-guard point and the brow tine point.
 - (d) A pronghorn (antelope) buck with at least one horn exceeding or equal to fourteen inches in total length.
 - (e) Any bighorn sheep.
 - (f) Any bison (buffalo).
- 5. Small game are cottontail rabbits, tree squirrels, upland game birds and migratory game birds.
- 6. Fur-bearing animals are muskrats, raccoons, otters, weasels, bobcats, beavers, badgers and ringtail cats.
- 7. Predatory animals are foxes, skunks, coyotes and bobcats.

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8. Nongame animals are all wildlife except game mammals, game birds, fur-bearing animals, predatory animals and aquatic wildlife.
9. Upland game birds are quail, partridge, grouse and pheasants.
10. Migratory game birds are wild waterfowl, including ducks, geese and swans; sandhill cranes; all coots, all gallinules, common snipe, wild doves and bandtail pigeons.
11. Nongame birds are all birds except upland game birds and migratory game birds.
12. Raptors are birds that are members of the order of falconiformes or strigiformes and include falcons, hawks, owls, eagles and other birds that the commission may classify as raptors.
13. Game fish are trout of all species, bass of all species, catfish of all species, sunfish of all species, northern pike, walleye and yellow perch.
14. Nongame fish are all the species of fish except game fish.
15. Trout means all species of the family salmonidae, including grayling.

2012

TITLE 17. GAME AND FISH

CHAPTER 2. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION

ARTICLE 3. POWERS AND DUTIES

17-211. Director; selection; removal; powers and duties; employees

- A. The commission shall appoint a director of the Arizona game and fish department, who shall be the chief administrative officer of the game and fish department. The director shall receive compensation as determined pursuant to section 38-611. The director shall be selected on the basis of administrative ability and general knowledge of wildlife management. The director shall act as secretary to the commission, and shall serve at the pleasure of the commission. The director shall not hold any other office, and shall devote the entire time to the duties of office.
- B. The commission shall prepare an examination for the post of director to comply with the requirements of this title. The examination shall be conducted at the offices of the commission at the capital to establish an active list of eligible applicants. The director shall be selected from

those scoring satisfactory grades and having other qualities deemed advisable by the commission. The commission may call for additional examinations from time to time for selection of a new list of eligible applicants to fill a vacancy.

- C. Subject to title 41, chapter 4, article 4, the director may appoint employees necessary to carry out the purposes of this title, when funds for the payment of their salaries are appropriated. Department employees shall be located in different sections of the state where their services are most needed. Compensation for persons appointed shall be as determined pursuant to section 38-611.
- D. The director shall:
 1. Have general supervision and control of all activities, functions and employees of the department.
 2. Enforce all provisions of this title, including all commission rules.
 3. Collaborate with the state forester in presentations to legislative committees on issues associated with forest management and wildfire prevention and suppression as provided by section 37-622, subsection B.
- E. Game rangers and wildlife managers may, in addition to other duties:
 1. Execute all warrants issued for a violation of this title.
 2. Execute subpoenas issued in any matter arising under this title.
 3. Search without warrant any aircraft, boat, vehicle, box, game bag or other package where there is sufficient cause to believe that wildlife or parts of wildlife are possessed in violation of law.
 4. Inspect all wildlife taken or transported and seize all wildlife taken or possessed in violation of law, or showing evidence of illegal taking.
 5. Seize as evidence devices used illegally in taking wildlife and hold them subject to the provisions of section 17-240.
 6. Generally exercise the powers of peace officers with primary duties the enforcement of this title.
 7. Seize devices that cannot be lawfully used for the taking of wildlife and are being so used and hold and dispose of them pursuant to section 17-240.

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17-231. General powers and duties of the commission

A. The commission shall:

1. Adopt rules and establish services it deems necessary to carry out the provisions and purposes of this title.
2. Establish broad policies and long-range programs for the management, preservation and harvest of wildlife.
3. Establish hunting, trapping and fishing rules and prescribe the manner and methods that may be used in taking wildlife, but the commission shall not limit or restrict the magazine capacity of any authorized firearm.
4. Be responsible for the enforcement of laws for the protection of wildlife.
5. Provide for the assembling and distribution of information to the public relating to wildlife and activities of the department.
6. Prescribe rules for the expenditure, by or under the control of the director, of all funds arising from appropriation, licenses, gifts or other sources.
7. Exercise such powers and duties necessary to carry out fully the provisions of this title and in general exercise powers and duties which relate to adopting and carrying out policies of the department and control of its financial affairs.
8. Prescribe procedures for use of department personnel, facilities, equipment, supplies and other resources in assisting search or rescue operations on request of the director of the division of emergency management.
9. Cooperate with the Arizona-Mexico commission in the governor's office and with researchers at universities in this state to collect data and conduct projects in the United States and Mexico on issues that are within the scope of the department's duties and that relate to quality of life, trade and economic development in this state in a manner that will help the Arizona-Mexico commission to assess and enhance the economic competitiveness of this state and of the Arizona-Mexico region.

B. The commission may:

1. Conduct investigations, inquiries or hearings in the performance of its powers and duties.
2. Establish game management units or refuges for the preservation

and management of wildlife.

3. Construct and operate game farms, fish hatcheries, fishing lakes or other facilities for or relating to the preservation or propagation of wildlife.
4. Expend funds to provide training in the safe handling and use of firearms and safe hunting practices.
5. Remove or permit to be removed from public or private waters fish which hinder or prevent propagation of game or food fish and dispose of such fish in such manner as it may designate.
6. Purchase, sell or barter wildlife for the purpose of stocking public or private lands and waters and take at any time in any manner wildlife for research, propagation and restocking purposes or for use at a game farm or fish hatchery and declare wildlife salable when in the public interest or the interest of conservation.
7. Enter into agreements with the federal government, with other states or political subdivisions of the state and with private organizations for the construction and operation of facilities and for management studies, measures or procedures for or relating to the preservation and propagation of wildlife and expend funds for carrying out such agreements.
8. Prescribe rules for the sale, trade, importation, exportation or possession of wildlife.
9. Expend monies for the purpose of producing publications relating to wildlife and activities of the department for sale to the public and establish the price to be paid for annual subscriptions and single copies of such publications. All monies received from the sale of such publications shall be deposited in the game and fish publications revolving fund.
10. Contract with any person or entity to design and produce artwork on terms which, in the commission's judgment, will produce an original and valuable work of art relating to wildlife or wildlife habitat.
11. Sell or distribute the artwork authorized under paragraph 10 of this subsection on such terms and for such price as it deems acceptable.
12. Consider the adverse and beneficial short-term and long-term economic impacts on resource dependent communities, small businesses and the state of Arizona, of policies and programs for

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the management, preservation and harvest of wildlife by holding a public hearing to receive and consider written comments and public testimony from interested persons.

13. Adopt rules relating to range operations at public shooting ranges operated by and under the jurisdiction of the commission, including the hours of operation, the fees for the use of the range, the regulation of groups and events, the operation of related range facilities, the type of firearms and ammunition that may be used at the range, the safe handling of firearms at the range, the required safety equipment for a person using the range, the sale of firearms, ammunition and shooting supplies at the range, and the authority of range officers to enforce these rules, to remove violators from the premises and to refuse entry for repeat violations.
 14. Solicit and accept grants, gifts or donations of money or other property from any source, which may be used for any purpose consistent with this title.
- C. The commission shall confer and coordinate with the director of water resources with respect to the commission's activities, plans and negotiations relating to water development and use, restoration projects under the restoration acts pursuant to chapter 4, article 1 of this title, where water development and use are involved, the abatement of pollution injurious to wildlife and in the formulation of fish and wildlife aspects of the director of water resources' plans to develop and utilize water resources of the state and shall have jurisdiction over fish and wildlife resources and fish and wildlife activities of projects constructed for the state under or pursuant to the jurisdiction of the director of water resources.
- D. The commission may enter into one or more agreements with a multi-county water conservation district and other parties for participation in the lower Colorado river multispecies conservation program under section 48-3713.03, including the collection and payment of any monies authorized by law for the purposes of the lower Colorado river multispecies conservation program. **2012**

17-251. Possession or use of a firearm silencer or muffler while hunting; definition

- A. The commission shall not adopt or enforce any rule that prohibits the

lawful possession or use of a firearm silencer or muffler, including for the taking of wildlife while hunting.

- B. This section does not limit the authority of the commission to prescribe the type and caliber of firearm or ammunition that may be used for taking wildlife.
- C. For the purposes of this section, "firearm silencer or muffler" means any device that is designed, made or adapted to muffle the report of a firearm. **2012**

17-252. Geospatial data and geographic information system services; wildlife species location information; disclosure or inspection; definitions

- A. Geospatial data that the department receives, maintains, shares or stores is not subject to disclosure or inspection under title 39, chapter 1, article 2 if the department provides geospatial data to the public through geographic information system services.
- B. Wildlife species location information is not subject to disclosure or inspection under title 39, chapter 1, article 2 for wildlife species location information on private property or when the department determines that disclosure or inspection of the information may cause harm to any wildlife species.
- C. For the purposes of this section, "geospatial data" and "geographic information system" have the same meaning as prescribed in section 37-171. **2012**

TITLE 17. GAME AND FISH

CHAPTER 2. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION

ARTICLE 4. FISCAL PROVISIONS

17-261. Game and fish fund

On or before the fifth day of each month the department shall deposit, pursuant to sections 35-146 and 35-147, the monies received from licenses, from the sale of goods or services at locations other than at shooting ranges that the commission owns and operates or from any other source under this title in a special fund known as the game and fish fund, which is set aside, appropriated and made available to the commission in carrying out the

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provisions of this title, and the monies shall be used for no other purpose. Expenditures of the monies shall be under control of the budget laws of this state and no monies shall be expended from the fund except:

1. By the annual budget and to match federal grants for wildlife restoration as provided for by the legislature.
2. For emergency purposes not to exceed twenty-five thousand dollars in any one fiscal year when authorized by the governor and the department of administration.

2012

17-273. Firearms safety and ranges fund; uses; criteria

- A. The firearms safety and ranges fund is established consisting of monies transferred to the fund pursuant to section 42-5029, subsection D, paragraph 4, subdivision (a), item (iii) and revenues derived from the sale or lease of real property owned by the commission and acquired for or used for the purpose of providing public shooting ranges and monies received from the sale of goods and services from commissioned-owned shooting ranges except for program income associated with federal grants. The Arizona game and fish commission shall administer the fund which is continuously appropriated. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. Interest earned on monies in the fund shall be credited to the fund.
- B. The Arizona game and fish commission shall use monies in the fund on shooting ranges open to the public and operated by government or nonprofit entities for the following purposes:
 1. Shooting range engineering and studies.
 2. Noise abatement.
 3. Safety enhancement.
 4. Shooting range design.
 5. New shooting range sites and construction.
 6. Shooting range relocation.
 7. Shooting sports programs.
 8. Inventory for sale at ranges.
 9. Other projects or expenses that are necessary to operate and maintain a shooting range under good practices and management.
- C. The director of the Arizona game and fish department shall consult with the state land commissioner to identify eligible state trust land

suitable for the location or relocation of shooting ranges.

- D. The Arizona game and fish commission may accept and spend private grants, gifts and contributions to assist in carrying out this section.

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION

CHAPTER 3. TAKING AND HANDLING OF WILDLIFE

ARTICLE 1. GENERAL REGULATIONS

17-304. Prohibition by landowner on hunting; posting; exception

- A. Landowners or lessees of private land who desire to prohibit hunting, fishing or trapping on their lands without their written permission shall post such lands closed to hunting, fishing or trapping using notices or signboards.
- B. State or federal lands including those under lease may not be posted except by consent of the commission.
- C. The notices or signboards shall meet all of the following criteria:
 1. Be not less than eight inches by eleven inches with plainly legible wording in capital and bold-faced lettering at least one inch high.
 2. Contain the words "no hunting", "no trapping" or "no fishing" either as a single phrase or in any combination.
 3. Be conspicuously placed on a structure or post at least four feet above ground level at all points of vehicular access, at all property or fence corners and at intervals of not more than one-quarter mile along the property boundary, except that a post with one hundred square inches or more of orange paint may serve as the interval notices between property or fence corners and points of vehicular access. The orange paint shall be clearly visible and shall cover the entire aboveground surface of the post facing outward and on both lateral sides from the closed area.
- D. The entry of any person for the taking of wildlife shall not be grounds for an action for criminal trespassing pursuant to section 13-1502 unless either:
 1. The land has been posted pursuant to this section and the notices and signboards also contain the words "no trespassing".
 2. The person knowingly remains unlawfully on any real property after a reasonable request to leave by the owner or any other

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person having lawful control over the property or the person knowingly disregards reasonable notice prohibiting trespass at the person's entry to any real property. **2000**

17-305. Possession of other weapons while hunting; violation; classification

- A. The possession of legal weapons, devices, ammunition or magazines, which are not authorized to take wildlife, is not prohibited while hunting if the weapon or device is not used to take wildlife.
- B. Taking wildlife by using a weapon, device, ammunition, or magazine that is not authorized to take wildlife is a class 1 misdemeanor. **2012**

17-309. Violations; classification

- A. Unless otherwise prescribed by this title, it is unlawful for a person to:
 - 1. Violate any provision of this title or any rule adopted pursuant to this title.
 - 2. Take, possess, transport, buy, sell or offer or expose for sale wildlife except as expressly permitted by this title.
 - 3. Destroy, injure or molest livestock, growing crops, personal property, notices or signboards, or other improvements while hunting, trapping or fishing.
 - 4. Discharge a firearm while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident.
 - 5. Take a game bird, game mammal or game fish and knowingly permit an edible portion thereof to go to waste, except as provided in section 17-302.
 - 6. Take big game, except bear or mountain lion, with the aid of dogs.
 - 7. Make more than one use of a shipping permit or coupon issued by the commission.
 - 8. Obtain a license or take wildlife during the period for which the person's license has been revoked or suspended or the person has been denied a license.
 - 9. Litter hunting and fishing areas while taking wildlife.
 - 10. Take wildlife during the closed season.
 - 11. Take wildlife in an area closed to the taking of that wildlife.
 - 12. Take wildlife with an unlawful device.

- 13. Take wildlife by an unlawful method.
- 14. Take wildlife in excess of the bag limit.
- 15. Possess wildlife in excess of the possession limit.
- 16. Possess or transport any wildlife or parts of the wildlife which was unlawfully taken.
- 17. Possess or transport the carcass of big game without a valid tag being attached.
- 18. Use the edible parts of any game mammal or any part of any game bird or nongame bird as bait.
- 19. Possess or transport the carcass or parts of a carcass of any wildlife which cannot be identified as to species and legality.
- 20. Take game animals, game birds and game fish with an explosive compound, poison or any other deleterious substances.
- 21. Import into this state or export from this state the carcass or parts of a carcass of any wildlife unlawfully taken or possessed.
- B. Unless a different or other penalty or punishment is specifically prescribed a person who violates any provision of this title, or who violates or fails to comply with a lawful order or rule of the commission, is guilty of a class 2 misdemeanor.
- C. A person who knowingly takes any big game during a closed season or who knowingly possesses, transports or buys any big game which was unlawfully taken during a closed season is guilty of a class 1 misdemeanor.
- D. A person is guilty of a class 6 felony who knowingly:
 - 1. Barters, sells or offers for sale any big game or parts of big game taken unlawfully.
 - 2. Barters, sells or offers for sale any wildlife or parts of wildlife unlawfully taken during a closed season.
 - 3. Barters, sells or offers for sale any wildlife or parts of wildlife imported or purchased in violation of this title or a lawful rule of the commission.
 - 4. Assists another person for monetary gain with the unlawful taking of big game.
 - 5. Takes or possesses wildlife while under permanent revocation under section 17-340, subsection B.
- E. A peace officer who knowingly fails to enforce a lawful rule of the commission or this title is guilty of a class 2 misdemeanor. **2012**

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**TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND
FISH COMMISSION
CHAPTER 3. TAKING AND HANDLING OF WILDLIFE
ARTICLE 2. LICENSES**

**17-340. Revocation, suspension and denial of privilege of taking
wildlife; notice; violation; classification**

- A. On conviction or after adjudication as a delinquent juvenile as defined in section 8-201 and in addition to other penalties prescribed by this title, the commission, after a public hearing, may revoke or suspend a license issued to any person under this title and deny the person the right to secure another license to take or possess wildlife for a period of not to exceed five years for:
1. Unlawful taking, unlawful selling, unlawful offering for sale, unlawful bartering or unlawful possession of wildlife.
 2. Careless use of firearms which has resulted in the injury or death of any person.
 3. Destroying, injuring or molesting livestock, or damaging or destroying growing crops, personal property, notices or signboards, or other improvements while hunting, trapping or fishing.
 4. Littering public hunting or fishing areas while taking wildlife.
 5. Knowingly allowing another person to use the person's big game tag, except as provided by section 17-332, subsection D.
 6. A violation of section 17-303, 17-304 or 17-341 or section 17-362, subsection A.
 7. A violation of section 17-309, subsection A, paragraph 5 involving a waste of edible portions other than meat damaged due to the method of taking as follows:
 - (a) Upland game birds, migratory game birds and wild turkey: breast.
 - (b) Deer, elk, pronghorn (antelope), bighorn sheep, bison (buffalo) and peccary (javelina): hind quarters, front quarters and loins.
 - (c) Game fish: fillets of the fish.
 8. A violation of section 17-309, subsection A, paragraph 1 involving any unlawful use of aircraft to take, assist in taking, harass, chase, drive, locate or assist in locating wildlife.
- B. On conviction or after adjudication as a delinquent juvenile and in addition to any other penalties prescribed by this title:
1. For a first conviction or a first adjudication as a delinquent juvenile, for unlawfully taking or wounding wildlife at any time or place, the commission, after a public hearing, may revoke, suspend or deny a person's privilege to take wildlife for a period of up to five years.
 2. For a second conviction or a second adjudication as a delinquent juvenile, for unlawfully taking or wounding wildlife at any time or place, the commission, after a public hearing, may revoke, suspend or deny a person's privilege to take wildlife for a period of up to ten years.
 3. For a third conviction or a third adjudication as a delinquent juvenile, for unlawfully taking or wounding wildlife at any time or place, the commission, after a public hearing, may revoke, suspend or deny a person's privilege to take wildlife permanently.
- C. A person who is assessed civil damages under section 17-314 shall not apply for or obtain a license during the pendency of an action for damages, while measures are pursued to collect damages or prior to the full payment of damages.
- D. On receiving a report from the licensing authority of a state which is a party to the wildlife violator compact, adopted under chapter 5 of this title, that a resident of this state has failed to comply with the terms of a wildlife citation, the commission, after a public hearing, may suspend any license issued under this title to take wildlife until the licensing authority furnishes satisfactory evidence of compliance with the terms of the wildlife citation.
- E. In carrying out this section the director shall notify the licensee, within one hundred eighty days after conviction, to appear and show cause why the license should not be revoked, suspended or denied. The notice may be served personally or by certified mail sent to the address appearing on the license.
- F. The commission shall furnish to license dealers the names and addresses of persons whose licenses have been revoked or suspended, and the periods for which they have been denied the right to secure licenses.

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- G. The commission may use the services of the office of administrative hearings to conduct hearings and to make recommendations to the commission pursuant to this section.
- H. Except for a person who takes or possesses wildlife while under permanent revocation, a person who takes wildlife in this state, or attempts to obtain a license to take wildlife, at a time when the person's privilege to do so is suspended, revoked or denied under this section is guilty of a class 1 misdemeanor. **2012**

17-341. Violation; classification

- A. It is unlawful for a person to knowingly purchase, apply for, accept, obtain or use, by fraud or misrepresentation a license, permit, tag or stamp to take wildlife and a license or permit so obtained is void and of no effect from the date of issuance thereof.
- B. Any person who violates this section is guilty of a class 2 misdemeanor. **2012**

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION

CHAPTER 3. TAKING AND HANDLING OF WILDLIFE

ARTICLE 4. TRANSPORTATION AND STORAGE

17-371. Transportation, possession and sale of wildlife and wildlife parts

- A. A person may transport in his possession his legally taken wildlife, or may authorize the transportation of his legally taken big game, provided such big game or any part thereof has attached thereto a valid transportation permit issued by the department. Such wildlife shall be transported in such manner that it may be inspected by authorized persons upon demand until the wildlife is packaged or stored. Species of wildlife, other than game species, may be transported in any manner unless otherwise specified by the commission. A person possessing a valid license may transport lawfully taken wildlife other than big game given to him but in no event shall any person possess more than one bag or possession limit.
- B. A holder of a resident license shall not transport from a point within to a point without the state any big game species or parts thereof without

first having obtained a special permit issued by the department or its authorized agent.

- C. Migratory birds may be possessed and transported in accordance with the migratory bird treaty act (40 Stat. 755; 16 United States Code sections 703 through 711) and regulations under that act.
- D. A holder of a sport falconry license may transport one or more raptors that the person lawfully possesses under terms and conditions prescribed by the commission. Regardless of whether a person holds a sport falconry license and as provided by section 17-236, subsection C, the person may transport for sport falconry purposes one or more raptors that are not listed pursuant to the migratory bird treaty act.
- E. Heads, horns, antlers, hides, feet or skin of wildlife lawfully taken, or the treated or mounted specimens thereof, may be possessed, sold and transported at any time, except that migratory birds may be possessed and transported only in accordance with federal regulations. **2012**

TITLE 28. TRANSPORTATION

CHAPTER 3. TRAFFIC AND VEHICLE REGULATION

ARTICLE 16. EQUIPMENT

28-921. Applicability of equipment requirements

- A. A person shall not:
 - 1. Drive or move and the owner shall not knowingly cause or permit to be driven or moved on a highway a vehicle or combination of vehicles that:
 - (a) Is in an unsafe condition that endangers a person.
 - (b) Does not contain those parts or is not at all times equipped with lamps and other equipment in proper condition and adjustment as required in this article.
 - (c) Is equipped in any manner in violation of this article.
 - 2. Do an act forbidden or fail to perform an act required under this article.
- B. This article does not prohibit the use of additional parts and accessories on a vehicle if the use is not inconsistent with this article.
- C. The provisions of this article with respect to equipment on vehicles do not apply to:
 - 1. Implements of husbandry, trailers used solely in the operation of a

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farm for the transportation of the unprocessed fiber products on the farm or from the farm to a cotton gin, road machinery, road rollers or farm tractors except as made applicable by this article. Notwithstanding this paragraph, a farm tractor equipped with an electric lighting system shall display at all times mentioned in section 28-922 a red tail lamp and either multiple beam or single beam head lamps meeting the requirements of sections 28-925, 28-941 and 28-943.

2. Vehicles driven by enforcement officers of the Arizona game and fish department in conducting night patrols and investigating night poaching activities. **2012**

TITLE 17. STATE GOVERNMENT

CHAPTER 3. ADMINISTRATIVE BOARDS AND COMMISSIONS

ARTICLE 12. BOARD OF FINGERPRINTING

41-619.51. Definitions

In this article, unless the context otherwise requires:

1. "Agency" means the supreme court, the department of economic security, the department of education, the department of health services, the department of juvenile corrections, the department of emergency and military affairs, the department of transportation, the state real estate department or the board of examiners of nursing care institution administrators and assisted living facility managers.
2. "Board" means the board of fingerprinting.
3. "Central registry exception" means notification to the department of economic security or the department of health services, as appropriate, pursuant to section 41-619.57 that the person is not disqualified because of a central registry check conducted pursuant to section 8-804.
4. "Expedited review" means an examination, in accordance with board rule, of the documents an applicant submits by the board or its hearing officer without the applicant being present.
5. "Good cause exception" means the issuance of a fingerprint clearance card to an employee pursuant to section 41-619.55.
6. "Person" means a person who is required to be fingerprinted pursuant to this article or who is subject to a central registry check and any of the following:

- (a) Section 8-105.
- (b) Section 8-322.
- (c) Section 8-509.
- (d) Section 8-802.
- (e) Section 8-804.
- (f) Section 8-804.01.
- (g) Section 15-183.
- (h) Section 15-534.
- (i) Section 15-782.02.
- (j) Section 15-1330.
- (k) Section 15-1881.
- (l) Section 17-215.
- (m) Section 26-103.
- (n) Section 32-2108.01.
- (o) Section 32-2123.
- (p) Section 32-2371.
- (q) Section 36-207.
- (r) Section 36-411.
- (s) Section 36-425.03.
- (t) Section 36-446.04.
- (u) Section 36-594.01.
- (v) Section 36-594.02.
- (w) Section 36-882.
- (x) Section 36-883.02.
- (y) Section 36-897.01.
- (z) Section 36-897.03.
- (aa) Section 36-3008.
- (bb) Section 41-619.53.
- (cc) Section 41-1964.
- (dd) Section 41-1967.01.
- (ee) Section 41-1968.
- (ff) Section 41-1969.
- (gg) Section 41-2814.
- (hh) Section 46-141, subsection A.
- (ii) Section 46-321.

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TITLE 17. STATE GOVERNMENT

**CHAPTER 25. STATE GOVERNMENT COMPETITION WITH
PRIVATE ENTERPRISE**

ARTICLE 1. GENERAL PROVISIONS

**41-2752. State competition with private enterprise prohibited;
exceptions**

- A. A state agency shall not engage in the manufacturing, processing, sale, offering for sale, rental, leasing, delivery, dispensing, distributing or advertising of goods or services to the public that are also offered by private enterprise unless specifically authorized by law other than administrative law and executive orders.
- B. A state agency shall not offer or provide goods or services to the public for or through another state agency or a local agency, including by intergovernmental or interagency agreement, in violation of this section or section 41-2753.
- C. The restrictions on activities that compete with private enterprise contained in this section do not apply to:
 - 1. The development, operation and management of state parks, historical monuments and hiking or equestrian trails.
 - 2. Correctional industries established and operated by the state department of corrections if the prices charged for products sold by the correctional industries are not less than the actual cost of producing and marketing the product plus a reasonable allowance for overhead and administrative costs.
 - 3. The Arizona office of tourism.
 - 4. The Arizona highways magazine, operated by the department of transportation.
 - 5. Printing and distributing information to the public if the agency is otherwise authorized to do so, and printing or copying public records or other material relating to the public agency's public business and recovering through fees and charges the costs of such printing, copying and distributing.
 - 6. The department of public safety.
 - 7. The construction, maintenance and operation of state transportation facilities.
 - 8. The development, distribution, maintenance, support, licensing,

leasing or sale of computer software by the department of transportation.

- 9. Agreements executed by the Arizona health care cost containment system administration with other states to design, develop, install and operate information technology systems and related services or other administrative services pursuant to section 36-2925.
- 10. Agreements executed by the department of economic security with other states to design, develop, install and operate support collection technology systems and related services. The department shall deposit, pursuant to sections 35-146 and 35-147, monies received pursuant to this paragraph in the public assistance collections fund established by section 46-295.
- 11. Educational, vocational, treatment, training or work programs of the department of juvenile corrections and contracts between the department of juvenile corrections and this state, a political subdivision of this state or a private entity in order to provide employment or vocational educational experience.
- 12. The aflatoxin control technologies of the cotton research and protection council.
- 13. The lease or sublease of lands or buildings by the department of economic security pursuant to section 41-1958.
- 14. The Arizona commerce authority.
- 15. The Arizona game and fish commission, but only for the sale of goods or services and not firearms.
- D. The restrictions on activities that compete with private enterprise contained in subsection A of this section do not apply to community colleges and universities under the jurisdiction of a governing board.

2012

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Section

- | | |
|------------|---------------------------------|
| R12-4-108. | Management Unit Boundaries |
| R12-4-121. | Big Game Permit or Tag Transfer |

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ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

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R12-4-202. Disabled Veteran's License

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section

R12-4-301. Definitions

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

R12-4-321. Restrictions for Taking Wildlife in City, County, or Town Parks and Preserves

ARTICLE 4. LIVE WILDLIFE

Section

R12-4-406. Restricted Live Wildlife

R12-4-422. Sport Falconry License

ARTICLE 5. BOATING AND WATER SPORTS

Section

R12-4-518. Regattas

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Section

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R12-4-702. General Provisions

R12-4-703. Heritage Grant Program Funds

R12-4-704. Grant Application

R12-4-705. Review of Proposals

R12-4-706. State Historic Preservation Office Review

R12-4-707. Grant Agreement

R12-4-708. Reporting and Recordkeeping Requirements

ARTICLE 8. WILDLIFE AREAS AND DEPARTMENT PROPERTY

Section

R12-4-801. General Provisions

R12-4-802. Wildlife Area and Other Department Managed Property Restrictions

R12-4-803. Wildlife Area and Other Department Managed Property Boundary Descriptions

ARTICLE 9. ARIZONA WILDLIFE CONSERVATION FUND GRANTS

Section

R12-4-901. Definitions

R12-4-902. General Provisions

R12-4-903. Grant Application

R12-4-904. Review of Proposals

R12-4-905. Grant Agreement

R12-4-906. Reporting and Recordkeeping Requirements

ARTICLE 11. AQUATIC INVASIVE SPECIES

Section

R12-4-1101. Definitions

R12-4-1102. Aquatic Invasive Species; Prohibitions; Inspection, Decontamination Protocols

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-108. Management Unit Boundaries

A. For the purpose of this Section, parentheses mean "also known as," and the following definitions shall apply:

1. "FH" means "forest highway," a paved road.
2. "FR" means "forest road," an unpaved road.
3. "Hwy" means "Highway."
4. "mp" means "milepost."

B. The state is divided into units for the purpose of managing wildlife. Each unit is identified by a number, or a number and letter. For the purpose of this Section, Indian reservation land contained within any management unit is not under the jurisdiction of the Arizona Game and Fish Commission or the Arizona Game and Fish Department.

C. Management unit descriptions are as follows:

Unit 1 -- Beginning at the New Mexico state line and U.S. Hwy 60; west on U.S. Hwy 60 to Vernon Junction; southerly on the

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Vernon-McNary road (FR 224) to the White Mountain Apache Indian Reservation boundary; east and south along the reservation boundary to Black River; east and north along Black River to the east fork of Black River; north along the east fork to Three Forks; and continuing north and east on the Three Forks-Williams Valley-Alpine Rd. (FR 249) to U.S. Hwy 180; east on U.S. Hwy 180 to the New Mexico state line; north along the state line to U.S. Hwy 60.

Unit 2A -- Beginning at St. Johns on U.S. Hwy 191 (AZ Hwy 61); north on U.S. Hwy 191 (AZ Hwy 61) to the Navajo Indian Reservation boundary; westerly along the reservation boundary to AZ Hwy 77; south on AZ Hwy 77 to Exit 292 on I-40; west on the westbound lane of I-40 to Exit 286; south on AZ Hwy 77 to U.S. Hwy 180; southeast on U.S. Hwy 180 to AZ Hwy 180A; south on AZ Hwy 180A to AZ Hwy 61; east on AZ Hwy 61 to U.S. Hwy 180 (AZ Hwy 61); east to U.S. Hwy 191 at St. Johns; except those portions that are sovereign tribal lands of the Zuni Tribe.

Unit 2B -- Beginning at Springerville; east on U.S. Hwy 60 to the New Mexico state line; north along the state line to the Navajo Indian Reservation boundary; westerly along the reservation boundary to U.S. Hwy 191 (AZ Hwy 61); south on U.S. Hwy 191 (U.S. Hwy 180) to Springerville.

Unit 2C -- Beginning at St. Johns on U.S. Hwy 191 (AZ Hwy 61); west on to AZ Hwy 61 Concho; southwest on AZ Hwy 61 to U.S. Hwy 60; east on U.S. Hwy 60 to U.S. Hwy 191 (U.S. Hwy 180); north on U.S. Hwy 191 (U.S. Hwy 180) to St. Johns.

Unit 3A -- Beginning at the junction of U.S. Hwy 180 and AZ Hwy 77; south on AZ Hwy 77 to AZ Hwy 377; southwesterly on AZ Hwy 377 to AZ Hwy 277; easterly on AZ Hwy 277 to Snowflake; easterly on the Snowflake-Concho Rd. to U.S. Hwy 180A; north on U.S. Hwy 180A to U.S. Hwy 180; northwesterly on U.S. Hwy 180 to AZ Hwy 77.

Unit 3B -- Beginning at Snowflake; southerly along AZ Hwy 77 to U.S. Hwy 60; southwesterly along U.S. Hwy 60 to the White Mountain Apache Indian Reservation boundary; easterly along the reservation boundary to the Vernon-McNary Rd. (FR 224); northerly along the Vernon-McNary Rd. to U.S. Hwy 60; west on

U.S. Hwy 60 to AZ Hwy 61; northeasterly on AZ Hwy 61 to AZ Hwy 180A; northerly on AZ Hwy 180A to Concho-Snowflake Rd.; westerly on the Concho-Snowflake Rd. to Snowflake.

Unit 3C -- Beginning at Snowflake; westerly on AZ Hwy 277 to AZ Hwy 260; westerly on AZ Hwy 260 to the Sitgreaves National Forest boundary with the Tonto National Forest; easterly along the Apache-Sitgreaves National Forest boundary to U.S. Hwy 60 (AZ Hwy 77); northeasterly on U.S. Hwy 60 (AZ Hwy 77) to Showlow; northerly along AZ Hwy 77 to Snowflake.

Unit 4A -- Beginning on the boundary of the Apache-Sitgreaves National Forest with the Coconino National Forest at the Mogollon Rim; north along this boundary (Leonard Canyon) to East Clear Creek; northerly along East Clear Creek to AZ Hwy 99; north on AZ Hwy 99 to AZ Hwy 87; north on AZ Hwy 87 to Business I-40 (3rd St.); west on Business I-40 (3rd St.) to Hipkoe Dr.; northerly on Hipkoe Dr. to I-40; west on I-40 to mp 221.4; north to the southwest corner of the Navajo Indian Reservation boundary; east along the Navajo Indian Reservation boundary to the Little Colorado River; southerly along the Little Colorado River to Chevelon Creek; southerly along Chevelon Creek to Woods Canyon; westerly along Woods Canyon to Woods Canyon Lake Rd; westerly and southerly along the Woods Canyon Lake Rd. to the Mogollon Rim; westerly along the Mogollon Rim to the boundary of the Apache-Sitgreaves National Forest with the Coconino National Forest.

Unit 4B -- Beginning at AZ Hwy 260 and the Sitgreaves National Forest boundary with the Tonto National Forest; northeasterly on AZ Hwy 260 to AZ Hwy 277; northeasterly on AZ Hwy 277 to Hwy 377; northeasterly on AZ Hwy 377 to AZ Hwy 77; northeasterly on AZ Hwy 77 to I-40 Exit 286; northeasterly along the westbound lane of I-40 to Exit 292; north on AZ Hwy 77 to the Navajo Indian Reservation boundary; west along the reservation boundary to the Little Colorado River; southerly along the Little Colorado River to Chevelon Creek; southerly along Chevelon Creek to Woods Canyon; westerly along Woods Canyon to Woods Canyon Lake Rd.; westerly and southerly along the Woods Canyon

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Lake Rd. to the Mogollon Rim; easterly along the Mogollon Rim to AZ Hwy 260.

Unit 5A -- Beginning at the junction of the Sitgreaves National Forest boundary with the Coconino National Forest boundary at the Mogollon Rim; northerly along this boundary (Leonard Canyon) to East Clear Creek; northeasterly along East Clear Creek to AZ Hwy 99; north on AZ Hwy 99 to AZ Hwy 87; north on AZ Hwy 87 to Business I-40 (3rd St.); west on Business I-40 (3rd St.) to Hipkoe Dr.; north on Hipkoe Dr. to I-40; west on I-40 to the Meteor Crater Rd. (Exit 233); southerly on the Meteor Crater-Chavez Pass-Jack's Canyon Rd. (FR 69) to AZ Hwy 87; southwesterly along AZ Hwy 87 to the Coconino-Tonto National Forest boundary; easterly along the Coconino-Tonto National Forest boundary (Mogollon Rim) to the Sitgreaves National Forest boundary with the Coconino National Forest.

Unit 5B -- Beginning at Lake Mary-Clint's Well Rd. (FH3) and Walnut Canyon (mp 337.5 on FH3); southeasterly on FH3 to AZ Hwy 87; northeasterly on AZ Hwy 87 to FR 69; westerly and northerly on FR 69 to I-40 (Exit 233); west on I-40 to Walnut Canyon (mp 210.2); southwesterly along Walnut Canyon to Walnut Canyon National Monument; southwesterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; southwesterly along Walnut Canyon to FH3 (mp 337.5).

Unit 6A -- Beginning at the junction of U.S. Hwy 89A and FR 237; southwesterly on U.S. Hwy 89A to the Verde River; southeasterly along the Verde River to Childs; easterly on the Childs-Strawberry Rd. to Fossil Creek north on the creek to Fossil Springs; southeasterly on FS trail 18 (Fossil Spring Trail) to the top of the rim; northeasterly on the rim to Nash Point on the Tonto-Coconino National Forest boundary; easterly along this boundary to AZ Hwy 87; northeasterly on AZ Hwy 87 to Lake Mary-Clint's Well Rd. (FH3); northwesterly on FH3 to FR 132; southwesterly on FR 132 to FR 296; southwesterly on FR 296 to FR 296A; southwesterly on FR 296A to FR 132; northwesterly on FR 132 to FR 235; westerly on FR 235 to Priest Draw; southwesterly along the bottom of Priest Draw to FR 235; westerly on FR 235 to FR 235A; westerly on FR 235A to FR 235; southerly on FR 235 to FR 235K; northwesterly

on FR 235K to FR 700; northerly on FR 700 to Mountaineer Rd.; west on Mountaineer Rd. to FR 237; westerly on FR 237 to U.S. Hwy 89A except those portions that are sovereign tribal lands of the Yavapai-Apache Nation.

Unit 6B -- Beginning at mp 188.5 on I-40 at a point just north of the east boundary of Camp Navajo; south along the eastern boundary of Camp Navajo to the southeastern corner of Camp Navajo; southeast approximately 1/3 mile through the forest to the forest road in section 33; southeast on the forest road to FR 231 (Woody Mountain Rd.); easterly on FR 231 to FR 533; southerly on FR 533 to U.S. Hwy 89A; southerly on U.S. Hwy 89A to the Verde River; northerly along the Verde River to Sycamore Creek; northeasterly along Sycamore Creek and Volunteer Canyon to the southwest corner of the Camp Navajo boundary; northerly along the western boundary of Camp Navajo to the northwest corner of Camp Navajo; continuing north to I-40 (mp 180.0); easterly along I-40 to mp 188.5.

Unit 7 -- Beginning at the junction of AZ Hwy 64 and I-40 (in Williams); easterly on I-40 to FR 171 (mp 184.4 on I-40); northerly on FR 171 to the Transwestern Gas Pipeline; easterly along the Transwestern Gas Pipeline to FR 420 (Schultz Pass Rd.); northeasterly on FR 420 to U.S. Hwy 89; across U.S. Hwy 89 to FR 545; east on FR 545 to the Sunset Crater National Monument; easterly along the southern boundary of the Sunset Crater National Monument to FR 545; east on FR 545 to the 345 KV transmission lines 1 and 2; southeasterly along the power lines to I-40 (mp 212 on I-40); east on I-40 to mp 221.4; north to the southwest corner of the Navajo Indian Reservation boundary; northerly and westerly along the reservation boundary to the Four Corners Gas Line; southwesterly along the Four Corners Gas Line to U.S. Hwy 180; west on U.S. Hwy 180 to AZ Hwy 64; south on AZ Hwy 64 to I-40.

Unit 8 -- Beginning at the junction of I-40 and U.S. Hwy 89 (in Ash Fork, Exit 146); south on U.S. Hwy 89 to the Verde River; easterly along the Verde River to Sycamore Creek; northerly along Sycamore Creek to Volunteer Canyon; northeasterly along Volunteer Canyon to the west boundary of Camp Navajo; north

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along the boundary to a point directly north of I-40; west on I-40 to U.S. Hwy 89.

Unit 9 -- Beginning where Cataract Creek enters the Havasupai Reservation; easterly and northerly along the Havasupai Reservation boundary to Grand Canyon National Park; easterly along the Grand Canyon National Park boundary to the Navajo Indian Reservation boundary; southerly along the reservation boundary to the Four Corners Gas Line; southwesterly along the Four Corners Gas Line to U.S. Hwy 180; westerly along U.S. Hwy 180 to AZ Hwy 64; south along AZ Hwy 64 to Airpark Rd.; west and north along Airpark Rd. to the Valle-Cataract Creek Rd.; westerly along the Valle-Cataract Creek Rd. to Cataract Creek at Island Tank; northwesterly along Cataract Creek to the Havasupai Reservation Boundary.

Unit 10 -- Beginning at the junction of AZ Hwy 64 and I-40; westerly on I-40 to Crookton Rd. (AZ Hwy 66, Exit 139); westerly on AZ Hwy 66 to the Hualapai Indian Reservation boundary; northeasterly along the reservation boundary to Grand Canyon National Park; east along the park boundary to the Havasupai Indian Reservation; easterly and southerly along the reservation boundary to where Cataract Creek enters the reservation; southeasterly along Cataract Creek in Cataract Canyon to Island Tank; easterly on the Cataract Creek-Valle Rd. to Airpark Rd.; south and east along Airpark Rd. to AZ Hwy 64; south on AZ Hwy 64 to I-40.

Unit 11M -- Beginning at the junction of Lake Mary-Clint's Well Rd. (FH3) and Walnut Canyon (mp 337.5 on FH3); northeasterly along Walnut Canyon to the Walnut Canyon National Monument boundary; northeasterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; northeasterly along Walnut Canyon to I-40 (mp 210.2); east on I-40 to the 345 KV transmission lines 1 and 2 (mp 212 on I-40); north and northeasterly along the power line to FR 545 (Sunset Crater Rd.); west along FR 545 to the Sunset Crater National Monument boundary; westerly along the southern boundary of the Sunset Crater National Monument to FR 545; west on FR 545 to U.S. Hwy 89; across U.S. Hwy 89 to FR 420 (Schultz Pass Rd.);

southwesterly on FR 420 to the Transwestern Gas Pipeline; westerly along the Transwestern Gas Pipeline to FR 171; south on FR 171 to I-40 (mp 184.4 on I-40); east on I-40 to a point just north of the eastern boundary of Camp Navajo (mp 188.5 on I-40); south along the eastern boundary of Camp Navajo to the southeast corner of Camp Navajo; southeast approximately 1/3 mile to the forest road in section 33; southeasterly along the forest road to FR 231 (Woody Mountain Rd.); easterly on FR 231 to FR 533; southerly on FR 533 to U.S. Hwy 89A; southerly on U.S. Hwy 89A to FR 237; northeasterly on FR 237 to Mountaineer Rd.; easterly on Mountaineer Rd. to FR 700; southerly on FR 700 to FR 235K; southeasterly on FR 235K to FR 235; northerly on FR 235 to FR 235A; easterly on FR 235A to FR 235; easterly on FR 235 to Priest Draw; northeasterly along the bottom of Priest Draw to FR 235; easterly on FR 235 to FR 132; southeasterly on FR 132 to FR 296A; northeasterly on FR 296A to FR 296; northeasterly on FR 296 to FR 132; northeasterly on FR 132 to FH3; southeasterly on FH3 to Walnut Canyon (mp 337.5 on FH3).

Unit 12A -- Beginning at U.S. Hwy 89A and the Kaibab National Forest boundary near mp 566; southerly and easterly along the forest boundary to Grand Canyon National Park; southerly and westerly along the park boundary to Kanab Creek; northerly along Kanab Creek to Snake Gulch; northerly, easterly and southerly around the Kaibab National Forest boundary to U.S. Hwy 89A near mp 566.

Unit 12B -- Beginning at U.S. Hwy 89A and the Kaibab National Forest boundary near mp 566; southerly and easterly along the forest boundary to Grand Canyon National Park; northeasterly along the park boundary to Glen Canyon National Recreation area; easterly along the recreation area boundary to the Colorado River; northeasterly along the Colorado River to the Arizona-Utah state line; westerly along the state line to Kanab Creek; southerly along Kanab Creek to the Kaibab National Forest boundary; northerly, easterly, and southerly along this boundary to U.S. Hwy 89A near mp 566; except those portions that are sovereign tribal lands of the Kaibab Band of Paiute Indians.

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Unit 13A -- Beginning on the western edge of the Hurricane Rim at the Utah state line; southerly along the western edge of the Hurricane Rim to Mohave County Rd. 5 (the Mt. Trumbull Rd.); west along Mohave County Rd. 5 to the town of Mt. Trumbull (Bundyville); south from the town of Mt. Trumbull (Bundyville) on Mohave County Rd. 257 to BLM Rd. 1045; south on BLM Rd. 1045 to where it crosses Cold Spring Wash near Cold Spring Wash Pond; south along the bottom of Cold Spring Wash to Whitmore Wash; southerly along the bottom of Whitmore Wash to the Colorado River; easterly along the Colorado River to Kanab Creek; northerly along Kanab Creek to the Utah state line; west along the Utah state line to the western edge of the Hurricane Rim; except those portions that are sovereign tribal lands of the Kaibab Band of Paiute Indians.

Unit 13B -- Beginning on the western edge of the Hurricane Rim at the Utah state line; southerly along the western edge of the Hurricane Rim to Mohave County Rd. 5 (the Mt. Trumbull Rd.); west along Mohave County Rd. 5 to the town of Mt. Trumbull (Bundyville); south from the town of Mt. Trumbull (Bundyville) on Mohave County Rd. 257 to BLM Rd. 1045; south on BLM Rd. 1045 to where it crosses Cold Spring Wash near Cold Spring Wash Pond; south along the bottom of Cold Spring Wash to Whitmore Wash; southerly along the bottom of Whitmore Wash to the Colorado River; westerly along the Colorado River to the Nevada state line; north along the Nevada state line to the Utah state line; east along the Utah state line to the western edge of the Hurricane Rim.

Unit 15A -- Beginning at Pearce Ferry on the Colorado River; southerly on the Pearce Ferry Rd. to Antares Rd.; southeasterly on Antares Rd. to AZ Hwy 66; easterly on AZ Hwy 66 to the Hualapai Indian Reservation; west and north along the west boundary of the reservation to the Colorado River; westerly along the Colorado River to Pearce Ferry; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 15B -- Beginning at Kingman on I-40 (Exit 48); northwesterly on U.S. Hwy 93 to Hoover Dam; north and east along the Colorado River to Pearce Ferry; southerly on the Pearce Ferry Rd. to Antares Rd.; southeasterly on Antares Rd. to AZ Hwy 66; easterly on AZ

Hwy 66 to Hackberry; southerly on the Hackberry Rd. to its junction with U.S. Hwy 93; north and west on U.S. Hwy 93 and I-40 (Exit 71) to Kingman.

Unit 15C -- Beginning at Hoover Dam; southerly along the Colorado River to AZ Hwy 68 and Davis Dam; easterly on AZ Hwy 68 to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to Hoover Dam.

Unit 15D -- Beginning at AZ Hwy 68 and Davis Dam; southerly along the Colorado River to I-40; east and north on I-40 to Kingman (Exit 48); northwest on U.S. Hwy 93 to AZ Hwy 68; west on AZ Hwy 68 to Davis Dam; except those portions that are sovereign tribal lands of the Fort Mohave Indian Tribe.

Unit 16A -- Beginning at Kingman Exit 48 on I-40; south and west on I-40 to U.S. Hwy 95 (Exit 9); southerly on U.S. Hwy 95 to the Bill Williams River; easterly along the Bill Williams and Santa Maria rivers to U.S. Hwy 93; north and west on U.S. Hwy 93 and I-40 to Kingman (Exit 48).

Unit 16B -- Beginning at I-40 on the Colorado River; southerly along the Arizona-California state line to the Bill Williams River; east along the Bill Williams River to U.S. Hwy 95; north on U.S. Hwy 95 to I-40 (Exit 9); west on I-40 to the Colorado River.

Unit 17A -- Beginning at the junction of the Williamson Valley Rd. (County Road 5) and the Camp Wood Rd. (FR 21); westerly on the Camp Wood road to the west boundary of the Prescott National Forest; north along this boundary to the Baca Grant; east, north and west around the grant to the west boundary of the Prescott National Forest; north and east along this boundary to the Williamson Valley Rd. (County Rd. 5, FR 6); southerly on Williamson Valley Rd. (County Rd. 5, FR 6) to the Camp Wood Rd.

Unit 17B -- Beginning in Prescott; at the junction of Iron Springs Rd. and Williamson Valley Rd. westerly on the Prescott-Skull Valley-Hillside-Bagdad Rd. to Bagdad; northeast on the Bagdad-Camp Wood Rd. (FR 21) to the Williamson Valley Rd. (County Rd. 5, FR 6); south on the Williamson Valley Rd. (County Rd. 5, FR 6) to the Iron Springs Rd.

Unit 18A -- Beginning at Seligman; westerly on AZ Hwy 66 to the Hualapai Indian Reservation; southwest and west along the reservation boundary to AZ Hwy 66; southwest on AZ Hwy 66 to

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the Hackberry Rd.; south on the Hackberry Rd. to U.S. Hwy 93; south on U.S. Hwy 93 to Cane Springs Wash; easterly along Cane Springs Wash to the Big Sandy River; northerly along the Big Sandy River to Trout Creek; northeast along Trout Creek to the Davis Dam-Prescott power line; southeasterly along the power line to the west boundary of the Prescott National Forest; north and east along the forest boundary to the Williamson Valley Rd. (County Rd. 5, FR 6); northerly on the Williamson Valley Rd. (County Rd. 5, FR 6) to Seligman and AZ Hwy 66; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 18B -- Beginning at Bagdad; southeast on AZ Hwy 96 to the Santa Maria River; southwest along the Santa Maria River to U.S. Hwy 93; northerly on U.S. Hwy 93 to Cane Springs Wash; easterly along Cane Springs Wash to the Big Sandy River; northerly along the Big Sandy River to Trout Creek; northeasterly along Trout Creek to the Davis Dam-Prescott power line; southeasterly along the power line to the west boundary of the Prescott National Forest; south along the forest boundary to the Baca Grant; east, south and west along the joint Baca Grant Prescott Forest Boundary. Continuing south along the west boundary of the Prescott National Forest; to the Camp Wood-Bagdad Rd.; southwesterly on the Camp Wood-Bagdad Rd. to Bagdad; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 19A -- Beginning at AZ Hwy 69 and U.S. Hwy 89 (in Prescott); northerly on U.S. Hwy 89 to the Verde River; easterly along the Verde River to I-17; southwesterly on the southbound lane of I-17 to AZ Hwy 69; northwesterly on AZ Hwy 69 to U.S. Hwy 89; except those portions that are sovereign tribal lands of the Yavapai-Prescott Tribe and the Yavapai-Apache Nation.

Unit 19B -- Beginning at the intersection of U.S. Hwy 89 and AZ Hwy 69, west on Gurley St. to Grove Ave.; north on the Grove Ave. to Miller Valley Rd.; northwest on the Miller Valley Rd. to Iron Springs Rd.; northwest on the Iron Springs Rd. to the junction of Williamson Valley Rd. and Iron Springs Rd.; northerly on the Williamson Valley-Prescott-Seligman Rd. (FR 6, Williamson Valley Rd.) to AZ Hwy 66 at Seligman; east on Crookton Rd. (AZ

Hwy 66) to I-40 (Exit 139); east on I-40 to U.S. Hwy 89; south on U.S. Hwy 89 to the junction with AZ Hwy 69; except those portions that are sovereign tribal lands of the Yavapai-Prescott Tribe.

Unit 20A -- Beginning at the intersection of U.S. Hwy 89 and AZ Hwy 69; west on Gurley St. to Grove Ave.; north on the Grove Ave. to Miller Valley Rd., northwest on the Miller Valley Rd. to Iron Springs Rd., west and south on the Iron Springs-Skull Valley-Kirkland Junction Rd. to U.S. Hwy 89; continue south and easterly on the Kirkland Junction-Wagoner-Crown King-Cordes Rd. to Cordes, from Cordes southeast to I-17 (Exit 259); north on the southbound lane of I-17 to AZ Hwy 69; northwest on AZ Hwy 69 to junction of U.S. Hwy 89 at Prescott; except those portions that are sovereign tribal lands of the Yavapai-Prescott Tribe.

Unit 20B -- Beginning at the Hassayampa River and U.S. Hwy 93 (in Wickenburg); northeasterly along the Hassayampa River to the Kirkland Junction-Wagoner- Crown King-Cordes road (at Wagoner); southerly and northeasterly along the Kirkland Junction-Wagoner-Crown King-Cordes Rd. (at Wagoner) to I-17 (Exit 259); south on the southbound lane of I-17 to the New River Road (Exit 232); west on the New River Road to State Highway 74; west on AZ Hwy 74 to the junction of AZ Hwy 74 and U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Hassayampa River.

Unit 20C -- Beginning at U.S. Hwy 93 and the Santa Maria River; northeasterly along the Santa Maria River to AZ Hwy 96; easterly on AZ Hwy 96 to Kirkland Junction; southeasterly along the Kirkland Junction-Wagoner- Crown King-Cordes road to the Hassayampa River (at Wagoner); southwesterly along the Hassayampa River to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Santa Maria River.

Unit 21 -- Beginning on I-17 at the Verde River; southerly on the southbound lane of I-17 to the New River Road (Exit 232); east on New River Road to Fig Springs Road; northeasterly on Fig Springs Road to the Tonto National Forest boundary; southeasterly along this boundary to the Verde River; north along the Verde River to I-17.

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Unit 22 -- Beginning at the junction of the Salt and Verde Rivers; north along the Verde River to Childs; easterly on the Childs-Strawberry Rd. to Fossil Creek; north on the creek to Fossil Springs; southeasterly on FS trail 18 (Fossil Spring Trail) to the top of the rim; northeasterly on the rim to Nash Point on the Tonto-Coconino National Forest boundary along the Mogollon Rim; easterly along this boundary to Tonto Creek; southerly along the east fork of Tonto Creek to the spring box, north of the Tonto Creek Hatchery, and continuing southerly along Tonto Creek to the Salt River; westerly along the Salt River to the Verde River; except those portions that are sovereign tribal lands of the Tonto Apache Tribe and the Fort McDowell Mohave-Apache Community.

Unit 23 -- Beginning at the confluence of Tonto Creek and the Salt River; northerly along Tonto Creek to the spring box, north of the Tonto Creek Hatchery, on Tonto Creek; northeasterly along the east fork of Tonto Creek to the Tonto-Sitgreaves National Forest boundary along the Mogollon Rim; east along this boundary to the White Mountain Apache Indian Reservation boundary; southerly along the reservation boundary to the Salt River; westerly along the Salt River to Tonto Creek.

Unit 24A -- Beginning on AZ Hwy 177 in Superior; southeasterly on AZ Hwy 177 to the Gila River; northeasterly along the Gila River to the San Carlos Indian Reservation boundary; easterly, westerly and northerly along the reservation boundary to the Salt River; southwesterly along the Salt River to AZ Hwy 288; southerly on AZ Hwys 288 and 188 to U.S. Hwy 60; southwesterly on U.S. Hwy 60 to AZ Hwy 177.

Unit 24B -- Beginning on U.S. Hwy 60 in Superior; northeasterly on U.S. Hwy 60 to AZ Hwy 188; northerly on AZ Hwys 188 and 288 to the Salt River; westerly along the Salt River to the Tonto National Forest boundary near Granite Reef Dam; southeasterly along Forest boundary to Forest Route 77 (Peralta Rd.); southwesterly on Forest Route 77 (Peralta Rd.) to U.S. Hwy 60; easterly on U.S. Hwy 60 to Superior.

Unit 25M -- Beginning at the junction of 51st Ave. and I-10; west on I-10 to AZ Loop 303, northeasterly on AZ Loop 303 to I-17; north on I-17 to Carefree Hwy; east on Carefree Hwy to Cave Creek Rd.;

northeasterly on Cave Creek Rd. to the Tonto National Forest boundary; easterly and southerly along the Tonto National Forest boundary to Fort McDowell Yavapai Nation boundary; northeasterly along the Fort McDowell Yavapai Nation boundary to the Verde River; southerly along the Verde River to the Salt River; southwesterly along the Salt River to the Tonto National Forest boundary; southerly along the Tonto National Forest boundary to Bush Hwy/Power Rd.; southerly on Bush Hwy/Power Rd to AZ Loop 202; easterly, southerly, and westerly on AZ Loop 202 to the intersection of Pecos Rd. at I-10; west on Pecos Rd. to the Gila River Indian Community boundary; northwesterly along the Gila River Indian Community boundary to 51st Ave; northerly on 51st Ave to I-10; except those portions that are sovereign tribal lands.

Unit 26M -- Beginning at the junction of I-17 and New River Rd. (Exit 232); southwesterly on New River Rd. to AZ Hwy 74; westerly on AZ Hwy 74 to U.S. Hwy 93; southeasterly on U.S. Hwy 93 to the Beardsley Canal; southwesterly on the Beardsley Canal to Indian School Rd; west on Indian School Rd. to Jackrabbit Trail; south on Jackrabbit Trail to I-10 (Exit 121); west on I-10 to Oglesby Rd (Exit 112); south on Oglesby Rd. to AZ Hwy 85; south on AZ Hwy 85 to the Gila River; northeasterly along the Gila River to the Gila River Indian Community boundary; southeasterly along the Gila River Indian Community boundary to AZ Hwy 347 (John Wayne Parkway); south on AZ Hwy 347 (John Wayne Parkway) to AZ Hwy 84; east on AZ Hwy 84 to Stanfield; south on the Stanfield-Cocklebur Rd. to the Tohono O'odham Nation boundary; easterly along the Tohono O'odham Nation boundary to Battaglia Rd.; east on Battaglia Rd. to Toltec Rd.; north on Toltec Rd. to I-10 (Exit 203); southeasterly on I-10 to AZ Hwy 87 (Exit 211); north on AZ Hwy 87 to AZ Hwy 287 north of Coolidge; east on AZ Hwy 287 to AZ Hwy 79; north on AZ Hwy 79 to U.S. Hwy 60; northwesterly on U.S. Highway 60 to Peralta Rd.; northeasterly along Peralta Rd. to the Tonto National Forest boundary; northwesterly along the Tonto National Forest boundary to the Salt River; northeasterly along the Salt River to the Verde River; northerly along the Verde River to the Tonto National Forest boundary; northwesterly along

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the Tonto National Forest boundary to Fig Springs Rd.; southwesterly on Fig Springs Rd. to New River Road; west on New River Road to I-17 (Exit 232); except Unit 25M and those portions that are sovereign tribal lands.

Unit 27 -- Beginning at the New Mexico state line and AZ Hwy 78; southwest on AZ Hwy 78 to U.S. Hwy 191; north on U.S. Hwy 191 to Lower Eagle Creek Rd. (Pump Station Rd.); west on the Lower Eagle Creek Rd. (Pump Station Rd.) to Eagle Creek; north along Eagle Creek to the San Carlos Apache Indian Reservation boundary; north along the San Carlos Apache Indian Reservation boundary to Black River; northeast along Black River to the East Fork of Black River; northeast along the East Fork of Black River to Three Forks-Williams Valley-Alpine Rd. (FR 249); easterly along Three Forks-Williams Valley-Alpine Rd. to U.S. Hwy 180; southeast on U.S. Hwy 180 to the New Mexico state line; south along the New Mexico state line to AZ Hwy 78.

Unit 28 -- Beginning at I-10 and the New Mexico state line; north along the state line to AZ Hwy 78; southwest on AZ Hwy 78 to U.S. Hwy 191; northwest on U.S. Hwy 191 to Clifton; westerly on the the Lower Eagle Creek Rd. (Pump Station Rd.) to Eagle Creek; northerly along Eagle Creek to the San Carlos Indian Reservation boundary; southerly and west along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191; south on U.S. Hwy 191 to I-10 Exit 352; easterly on I-10 to the New Mexico state line.

Unit 29 -- Beginning on I-10 at the New Mexico state line; westerly on I-10 to the Bowie-Apache Pass Rd.; southerly on the Bowie-Apache Pass Rd. to AZ Hwy 186; southeast on AZ Hwy 186 to AZ Hwy 181; south on AZ Hwy 181 to the West Turkey Creek-Kuykendall cutoff road; southerly on the Kuykendall cutoff road to Rucker Canyon Rd.; easterly on the Rucker Canyon Rd. to Tex Canyon Rd.; southerly on Tex Canyon Rd. to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico state line; north along the state line to I-10.

Unit 30A -- Beginning at the junction of the New Mexico state line and U.S. Hwy 80; south along the state line to the U.S.-Mexico border; west along the border to U.S. Hwy 191; northerly on U.S. Hwy

191 to I-10 Exit 331; northeasterly on I-10 to the Bowie-Apache Pass Rd.; southerly on the Bowie-Apache Pass Rd. to AZ Hwy 186; southeasterly on AZ Hwy 186 to AZ Hwy 181; south on AZ Hwy 181 to the West Turkey Creek - Kuykendall cutoff road; southerly on the Kuykendall cutoff road to Rucker Canyon Rd.; easterly on Rucker Canyon Rd. to the Tex Canyon Rd.; southerly on Tex Canyon Rd. to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico state line.

Unit 30B -- Beginning at U.S. Hwy 191 and the U.S.-Mexico border; west along the border to the San Pedro River; north along the San Pedro River to I-10; northeasterly on I-10 to U.S. Hwy 191; southerly on U.S. Hwy 191 to the U.S.-Mexico border.

Unit 31 -- Beginning at Willcox Exit 340 on I-10; north on Fort Grant Rd. to Brookerson Rd.; north on Brookerson Rd. to Ash Creek Rd.; west on Ash Creek Rd. to Fort Grant Rd.; north on Fort Grant Rd. to Bonita; northerly on the Bonita-Klondyke Rd. to the junction with Aravaipa Creek; west along Aravaipa Creek to AZ Hwy 77; northerly along AZ Hwy 77 to the Gila River; northeast along the Gila River to the San Carlos Indian Reservation boundary; south then east and north along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191; south on U.S. Hwy 191 to the 352 exit on I-10; southwest on I-10 to Exit 340.

Unit 32 -- Beginning at Willcox Exit 340 on I-10; north on Fort Grant Rd. to Brookerson Rd.; north on Brookerson Rd. to Ash Creek Rd.; west on Ash Creek Rd. to Fort Grant Rd.; north on Fort Grant Rd. to Bonita; northerly on the Bonita-Klondyke Rd. to the junction with Aravaipa Creek; west along Aravaipa Creek to AZ Hwy 77; southerly along AZ Hwy 77 to the San Pedro River; southerly along the San Pedro River to I-10; northeast on I-10 to Willcox Exit 340.

Unit 33 -- Beginning at Tangerine Rd. and AZ Hwy 77; north and northeast on AZ Hwy 77 to the San Pedro River; southeast along the San Pedro River to I-10 at Benson; west on I-10 to Marsh Station Rd. (Exit 289); northwest on the Marsh Station Rd. to the Agua Verde Rd.; north on the Agua Verde Rd. to its terminus then north 1/2 mile to the Coronado National Forest boundary; north and west along the National Forest boundary; then west, north, and

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east along the Saguaro National Park boundary; continuing north and west along the Coronado National Forest boundary to the southern boundary of Catalina State Park; west along the southern boundary of Catalina State Park to AZ Hwy 77; north on AZ Hwy 77 to Tangerine Rd.

Unit 34A -- Beginning in Nogales at I-19 and Grand Avenue (U.S. Highway 89); northeast on Grand Avenue (U.S. Hwy. 89) to AZ Hwy 82; northeast on AZ Hwy 82 to AZ Hwy 83; northerly on AZ Hwy 83 to the Sahuarita road alignment; west along the Sahuarita road alignment to I-19 Exit 75; south on I-19 to Grand Avenue (U.S. Hwy 89).

Unit 34B -- Beginning at AZ Hwy 83 and I-10 Exit 281; easterly on I-10 to the San Pedro River; south along the San Pedro River to AZ Hwy 82; westerly on AZ Hwy 82 to AZ Hwy 83; northerly on AZ Hwy 83 to I-10 Exit 281.

Unit 35A -- Beginning on the U.S.-Mexico border at the San Pedro River; west along the border to Lochiel Rd.; north on Lochiel Rd. to Patagonia San Rafael Rd.; north on the Patagonia San Rafael Rd. to San Rafael Valley-FS 58 Rd.; north on the San Rafael Valley-FS 58 Rd. to Christian Ln.; north on the Christian Ln. to Ranch Rd.; east and north on the Ranch Rd. to FR 799-Canelo Pass Rd.; northeasterly on the FR 799-Canelo Pass Rd. to AZ Hwy 83; northwesterly on the AZ Hwy 83 to Elgin Canelo Rd.; northeasterly on the Elgin-Canelo Rd. to Upper Elgin Rd.; north on the Upper Elgin Rd. to AZ Hwy 82; easterly on AZ Hwy 82 to the San Pedro River; south along the San Pedro River to the U.S.-Mexico border.

Unit 35B -- Beginning at Grand Avenue (U.S. Hwy 89) at the U.S.-Mexico border in Nogales; east along the U.S.-Mexico border to Lochiel Rd.; north on the Lochiel Rd. to Patagonia San Rafael Rd.; north on the Patagonia San Rafael Rd. to San Rafael Valley-FS 58 Rd.; north on the San Rafael Valley-FS 58 Rd. to Christian Ln.; north on the Christian Ln. to Ranch Rd.; east and north on the Ranch Rd. to FR 799-Canelo Pass Rd.; northeasterly on FR 799-Canelo Pass Rd. to AZ Hwy 83; northwesterly on the AZ Hwy 83 to Elgin Canelo Rd.; north on the Elgin Canelo Rd. to Upper Elgin Rd.; north on the Upper Elgin Rd. to AZ Hwy 82; southwest on

AZ Hwy 82 to Grand Avenue; southwest on Grand Avenue to the U.S.-Mexico border.

Unit 36A -- Beginning at the junction of Sandario Rd. and AZ Hwy 86; southwest on AZ Hwy 86 to AZ Hwy 286; southerly on AZ Hwy 286 to the Arivaca-Sasabe Rd.; southeasterly on the Arivaca-Sasabe Rd. to the town of Arivaca; from the town of Arivaca northeasterly on the Arivaca Rd. to I-19; north on I-19 to the southern boundary of the San Xavier Indian Reservation boundary; westerly and northerly along the reservation boundary to the Sandario road alignment; north on Sandario Rd. to AZ Hwy 86.

Unit 36B -- Beginning at I-19 and Grand Avenue (U.S. Hwy 89) in Nogales; southwest on Grand Avenue to the U.S.-Mexico border; west along the U.S.-Mexico border to AZ Hwy 286; north on AZ Hwy 286 to the Arivaca-Sasabe Rd.; southeasterly on the Arivaca-Sasabe Rd. to the town of Arivaca; from the town of Arivaca northeasterly on the Arivaca Rd. to I-19; south on I-19 to Grand Avenue (U.S. Hwy 89).

Unit 36C -- Beginning at the junction of AZ Hwy 86 and AZ Hwy 286; southerly on AZ Hwy 286 to the U.S.-Mexico border; westerly along the border to the east boundary of the Tohono O'odham (Papago) Indian Reservation; northerly along the reservation boundary to AZ Hwy 86; easterly on AZ Hwy 86 to AZ Hwy 286.

Unit 37A -- Beginning at the junction of I-10 and Tangerine Rd. (Exit 240); southeast on I-10 to Avra Valley Rd. (Exit 242); west on Avra Valley Rd. to Sandario Rd.; south on Sandario Rd. to AZ Hwy 86; southwest on AZ Hwy 86 to the Tohono O'odham (Papago) Indian Reservation boundary; north, east, and west along the reservation boundary to Battaglia Rd.; east on Battaglia Rd. to Toltec Rd.; north on Toltec Rd. to I-10 (Exit 203); southeast on I-10 to AZ Hwy 87 (Exit 211); north on AZ Hwy 87 to AZ Hwy 287; east on AZ Hwy 287 to AZ Hwy 79 at Florence; southeast on AZ Hwy 79 to its junction with AZ Hwy 77; south on AZ Hwy 77 to Tangerine Rd.; west on Tangerine Rd. to I-10.

Unit 37B -- Beginning at the junction of AZ Hwy 79 and AZ Hwy 77; northwest on AZ Hwy 79 to U.S. Hwy 60; east on U.S. Hwy 60 to AZ Hwy 177; southeast on AZ Hwy 177 to AZ Hwy 77; southeast and southwest on AZ Hwy 77 to AZ Hwy 79.

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Unit 38M -- Beginning at the junction of I-10 and Tangerine Rd. (Exit 240); southeast on I-10 to Avra Valley Rd. (Exit 242); west on Avra Valley Rd. to Sandario Rd.; south on Sandario Rd. to the San Xavier Indian Reservation boundary; south and east along the reservation boundary to I-19; south on I-19 to Sahuarita Rd. (Exit 75); east on Sahuarita Rd. to AZ Hwy 83; north on AZ Hwy 83 to I-10 (Exit 281); east on I-10 to Marsh Station Rd. (Exit 289); northwest on Marsh Station Rd. to the Agua Verde Rd.; north on the Agua Verde Rd. to its terminus, then north 1/2 mile to the Coronado National Forest boundary; north and west along the National Forest boundary, then west, north, and east along the Saguaro National Park boundary; continuing north and west along the Coronado National Forest boundary to the southern boundary of Catalina State Park; west along the southern boundary of Catalina State Park to AZ Hwy 77; north on AZ Hwy 77 to Tangerine Rd.; west on Tangerine Rd. to I-10.

Unit 39 -- Beginning at AZ Hwy 85 and the Gila River; east along the Gila River to the western boundary of the Gila River Indian Reservation; southeasterly along the reservation boundary to AZ Hwy 347 (John Wayne Parkway); south on AZ Hwy 347 (John Wayne Parkway) to AZ Hwy 84; east on AZ Hwy 84 to Stanfield; south on the Stanfield-Cocklebur Rd. to I-8; westerly on I-8 to Exit 87; northerly on the Agua Caliente Rd. to the Hyder Rd.; northeasterly on Hyder Rd. to 555th Ave.; north on 555th Ave. to Lahman Rd.; east on Lahman Rd., which becomes Agua Caliente Rd.; northeasterly on Agua Caliente Rd. to Old Hwy 80; northeasterly on Old Hwy 80 to Arizona Hwy 85; southerly on AZ Hwy 85 to the Gila River; except those portions that are sovereign tribal lands of the Tohono O'odham Nation and the Ak-Chin Indian Community.

Unit 40A -- Beginning at Ajo; southeasterly on AZ Hwy 85 to Why; southeasterly on AZ Hwy 86 to the Tohono O'odham (Papago) Indian Reservation; northerly and easterly along the reservation boundary to the Cocklebur-Stanfield Rd.; north on the Cocklebur-Stanfield Rd. to I-8; westerly on I-8 to AZ Hwy 85; southerly on AZ Hwy 85 to Ajo.

Unit 40B -- Beginning at Gila Bend; westerly on I-8 to the Colorado River; southerly along the Colorado River to the Mexican border at San Luis; southeasterly along the border to the Cabeza Prieta National Wildlife Refuge; northerly, easterly and southerly around the refuge boundary to the Mexican border; southeast along the border to the Tohono O'odham (Papago) Indian Reservation; northerly along the reservation boundary to AZ Hwy 86; northwesterly on AZ Hwy 86 to AZ Hwy 85; north on AZ Hwy 85 to Gila Bend; except those portions that are sovereign tribal lands of the Cocopah Tribe.

Unit 41 -- Beginning at I-8 and U.S. Hwy 95 (in Yuma); easterly on I-8 to exit 87; northerly on the Agua Caliente Rd. to the Hyder Rd.; northeasterly on Hyder Rd. to 555th Ave.; north on 555th Ave. to Lahman Rd.; east on Lahman Rd., which becomes Agua Caliente Rd.; northeasterly on Agua Caliente Rd. to Old Hwy 80; northeasterly on Old Hwy 80 to Arizona Hwy 85; northerly on AZ Hwy 85 to Oglesby Rd.; north on Oglesby Rd. to I-10; westerly on I-10 to Exit 45; southerly on Vicksburg-Kofa National Wildlife Refuge Rd. to the Refuge boundary; easterly, southerly, westerly, and northerly along the boundary to the Castle Dome Rd.; southwestly on the Castle Dome Rd. to U.S. Hwy 95; southerly on U.S. Hwy 95 to I-8.

Unit 42 -- Beginning at the junction of the Beardsley Canal and U.S. Hwy 93 (U.S. 89, U.S. 60); northwesterly on U.S. Hwy 93 to AZ Hwy 71; southwestly on AZ Hwy 71 to U.S. Hwy 60; westerly on U.S. Hwy 60 to Aguila; south on the Eagle Eye Rd. to the Salome-Hassayampa Rd.; southeasterly on the Salome-Hassayampa Rd. to I-10 (Exit 81); easterly on I-10 to Jackrabbit Trail (Exit 121); north along Jackrabbit Trail to the Indian School road; east along Indian School Rd. to the Beardsley Canal; northeasterly along the Beardsley Canal to U.S. Hwy 93.

Unit 43A -- Beginning at U.S. Hwy 95 and the Bill Williams River; west along the Bill Williams River to the Arizona-California state line; southerly to the south end of Cibola Lake; northerly and easterly on the Cibola Lake Rd. to U.S. Hwy 95; south on U.S. Hwy 95 to the Stone Cabin-King Valley Rd. (King Rd.); east along the Stone Cabin-King Valley Rd. (King Rd.) to the west boundary

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of the Kofa National Wildlife Refuge; northerly along the refuge boundary to the Crystal Hill Rd. (Blevens Rd.); northwesterly on the Crystal Hill Rd. (Blevens Rd.) to U.S. Hwy 95; northerly on U.S. Hwy 95 to the Bill Williams River; except those portions that are sovereign tribal lands of the Colorado River Indian Tribes.

Unit 43B -- Beginning at the south end of Cibola Lake; southerly along the Arizona-California state line to I-8; southeasterly on I-8 to U.S. Hwy 95; easterly and northerly on U.S. Hwy 95 to the Castle Dome road; northeast on the Castle Dome Rd. to the Kofa National Wildlife Refuge boundary; north along the refuge boundary to the Stone Cabin-King Valley Rd. (King Rd.); west along the Stone Cabin-King Valley Rd. (King Rd.) to U.S. Hwy 95; north on U.S. Hwy 95 to the Cibola Lake Rd.; west and south on the Cibola Lake Rd. to the south end of Cibola Lake; except those portions that are sovereign tribal lands of the Quechan Tribe.

Unit 44A -- Beginning at U.S. Hwy 95 and the Bill Williams River; south along U.S. Hwy 95 to AZ Hwy 72; southeasterly on AZ Hwy 72 to Vicksburg; south on the Vicksburg-Kofa National Wildlife Refuge Rd. to I-10; easterly on I-10 to the Salome-Hassayampa Rd. (Exit 81); northwesterly on the Salome-Hassayampa Rd. to Eagle Eye Rd.; northeasterly on Eagle Eye Rd. to Aguila; east on U.S. Hwy 60 to AZ Hwy 71; northeasterly on AZ Hwy 71 to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Santa Maria River; westerly along the Santa Maria and Bill Williams rivers to U.S. Hwy 95; except those portions that are sovereign tribal lands of the Colorado River Indian Tribes.

Unit 44B -- Beginning at Quartzsite; south on U.S. Hwy 95 to the Crystal Hill Rd. (Blevens Rd.); east on the Crystal Hill Rd. (Blevens Rd.) to the Kofa National Wildlife Refuge; north and east along the refuge boundary to the Vicksburg-Kofa National Wildlife Refuge Rd.; north on the Vicksburg-Kofa National Wildlife Refuge Rd. to AZ Hwy 72; northwest on AZ Hwy 72 to U.S. Hwy 95; south on U.S. Hwy 95 to Quartzsite.

Unit 45A -- Beginning at the junction of the Stone Cabin-King Valley Rd. (King Rd.) and Kofa National Wildlife Refuge boundary; east on the Stone Cabin-King Valley Rd. (King Rd.) to O-O Junction; north from O-O Junction on the Kofa Mine Rd. to the Evening Star

Mine; north on a line over Polaris Mountain to Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.); north on the Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.) to the El Paso Natural Gas Pipeline Rd.; north on a line from the junction to the north boundary of the Kofa National Wildlife Refuge; west and south on the boundary line to Stone Cabin-King Valley Rd. (King Rd.).

Unit 45B -- Beginning at O-O Junction; north from O-O Junction on the Kofa Mine Rd. to the Evening Star Mine; north on a line over Polaris Mountain to Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.); north on the Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.) to the El Paso Natural Gas Pipeline Rd.; north on a line from the junction to the north Kofa National Wildlife Refuge boundary; east to the east refuge boundary; south and west along the Kofa National Wildlife Refuge boundary to the Stone Cabin-King Valley Rd. (Wellton-Kofa Rd./Ave 40E); north and west on the Stone Cabin-King Valley Rd. (Wellton-Kofa Rd./Ave 40E) to O-O Junction.

Unit 45C -- Beginning at the junction of the Stone Cabin-King Valley Rd. (King Rd.) and Kofa National Wildlife Refuge; south, east, and north along the refuge boundary to the Stone Cabin-King Valley Rd. (King Rd.); north and west on the Stone Cabin-King Valley Rd. (King Rd.) to the junction of the Stone Cabin-King Valley Rd. (King Rd.) and Kofa National Wildlife Refuge boundary.

Unit 46A -- That portion of the Cabeza Prieta National Wildlife Refuge east of the Yuma-Pima County line.

Unit 46B -- That portion of the Cabeza Prieta National Wildlife Refuge west of the Yuma-Pima County line.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-102, 17-231(B)(2) and 17-234

Historical Note

Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective March 5, 1976 (Supp. 76-2). Amended effective May 17, 1977

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(Supp. 77-3). Amended effective September 7, 1978 (Supp. 78-5). Amended effective June 4, 1979 (Supp. 79-3). Former Section R12-4-10 renumbered as Section R12-4-108 without change effective August 13, 1981 (Supp. 81-4). Amended effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Amended effective February 4, 1993 (Supp. 93-1). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended by final rulemaking at 6 A.A.R. 1146, effective July 1, 2000 (Supp. 00-1). Amended by final rulemaking at 7 A.A.R. 865, effective July 1, 2001 (Supp. 01-1). Amended by final rulemaking at 12 A.A.R. 291, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 1458, effective January 1, 2013.

R12-4-121. Big Game Permit or Tag Transfer

- A.** For the purposes of this Section, “unused tag” means a big game hunt permit-tag, non-permit tag, or special license tag that has not been attached to any animal.
- B.** A parent, grandparent, or guardian issued a big game hunt permit-tag, non-permit tag, or special license tag may transfer the unused tag to the parent's, grandparent's, or guardian's minor child or grandchild.
1. A parent, grandparent, or guardian issued a tag may transfer the unused to a minor child or grandchild at any time prior to the end of the season for which the unused tag was issued.
 2. A parent, grandparent, or guardian may transfer the unused tag by providing all of the following documentation in person at any Department office:
 - a. Proof of ownership of the unused tag to be transferred,
 - b. The unused tag, and
 - c. The minor's valid hunting license.
 3. If a parent, grandparent, or legal guardian is deceased, the personal representative of the individual's estate may transfer an unused tag to an eligible minor. The individual acting as the personal representative shall present:
 - a. The deceased individual's death certificate, and
 - b. Proof of the individual's authority to act as the personal representative of the deceased individual's estate.
 4. To be eligible to receive an unused tag from a parent, grandparent,

or legal guardian, the minor child shall meet the criteria established under subsection (D).

5. A minor child or grandchild receiving an unused tag from a parent, grandparent, or legal guardian shall be accompanied into the field by any grandparent, parent, or legal guardian of the minor child.
- C.** An individual issued a tag or the individual's legal representative may donate the unused tag to a non-profit organization for use by a minor child who has a life threatening medical condition or permanent physical disability.
1. A qualifying organization:
 - a. Is exempt from federal taxation under Section 501(c) of the Internal Revenue Code; and
 - b. Provides hunting opportunities and experiences to children with life-threatening medical conditions or permanent physical disabilities.
 2. The individual or legal representative that donates the unused tag shall provide the non-profit organization with a written statement indicating the unused tag is voluntarily donated to the organization.
 3. The non-profit organization receiving a donated tag under this subsection may transfer the unused tag to an eligible minor child by contacting any Department office.
 - a. To obtain a transfer, the non-profit organization shall:
 - i. Provide proof of donation of the unused tag to be transferred;
 - ii. Provide the unused tag;
 - iii. Provide proof of the minor child's valid hunting license; and
 - b. To be eligible to receive a donated unused tag from a qualifying organization, the minor child shall meet the criteria established under subsection (D).
- D.** To receive an unused tag authorized under subsections (B) or (C), an eligible minor child shall meet the following criteria:
1. Possess a valid hunting license, and
 2. Is 10 to 17 years of age on the date of the transfer. A minor child under the age of 14 shall have satisfactorily completed a Department-approved hunter education course before the beginning date of the hunt.

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Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(A)(7), 17-231(A)(8), 17-331(A), 17-332, 17-333, and 17-346

Historical Note

Adopted effective October 10, 1986, filed September 25, 1986 (Supp. 86-5). Rule expired one year from effective date of October 10, 1986. Rule readopted without change for one year effective January 22, 1988, filed January 7, 1988 (Supp. 88-1). Rule expired effective January 22, 1989 (Supp. 89-1). New Section R12-4-121 adopted effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Repealed effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). New Section made by final rulemaking at 7 A.A.R. 2732, effective July 1, 2001 (Supp. 01-2). Amended by final rulemaking at 12 A.A.R. 291, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 1195, effective June 30, 2012.

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

R12-4-202. Disabled Veteran's License

- A.** A disabled veteran's license grants all of the hunting and fishing privileges of a Class F combination hunting and fishing license and an urban fishing license.
- B.** An individual meeting the criteria prescribed under A.R.S. § 17-336(A)(2) may apply for a disabled veteran's license. Eligibility for the disabled veteran's license is based on 100% disability, not on the percentage of compensation received by the veteran.
1. An applicant desiring a disabled veteran's license shall apply on an application form furnished by the Department and available at any Department office. The applicant shall provide all of the following information on the application form:
 - a. The applicant's:
 - i. Name;
 - ii. Date of birth;

- iii. Department identification number;
 - iv. Physical description;
 - b. All physical addresses for the calendar year immediately preceding application;
 - c. Mailing address; and
 - d. The applicant's signature, acknowledged before a Notary Public or witnessed by a Department employee.
 2. An applicant shall submit with the application form an original certification from the Department of Veterans' Services. The certification shall include all of the following information:
 - a. The applicant's full name,
 - b. Certification that the applicant is receiving compensation for permanent service-connected disabilities rated as 100% disabling,
 - c. Certification that the 100% rating is permanent and:
 - i. Will not require reevaluation or
 - ii. Will be reevaluated in three years, and
 - d. The signature and title of an agent of the Department of Veterans' Services who issued or approved the certification.
- C.** If the certification required under subsection (B)(2)(c) indicates that the applicant's disability rating of 100% is permanent and:
1. Will not be reevaluated, the disabled veteran's license will not expire.
 2. Will be reevaluated in three years, the disabled veteran's license will expire three years from the date of issuance.
- D.** The Department shall deny a disabled veteran's license to an applicant who:
1. Is not eligible for the license,
 2. Fails to comply with the requirements of this Section, or
 3. Provides false information during the application process.
- E.** The Department shall provide written notice to the applicant if the disabled veteran's license is denied. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.
- F.** A disabled veteran's license holder may request a duplicate license if:
1. The license has been lost or destroyed,
 2. The license holder submits a written request to the Department for

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a duplicate license, and

3. The Department has a record that shows a disabled veteran's license was previously issued to that individual.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-332(F), 17-333(A)(9), and 17-336(A)(2)

Historical Note

Former Section R12-4-66 renumbered, then repealed and readopted as Section R12-4-43 effective February 20, 1981 (Supp. 81-1). Former Section R12-4-43 renumbered as Section R12-4-202 without change effective August 13, 1981 (Supp. 81-4). Amended effective December 31, 1984 (Supp. 84-6). Repealed effective April 28, 1989 (Supp. 89-2). New Section R12-4-202 adopted effective December 22, 1989 (Supp. 89-4). Amended by final rulemaking at 6 A.A.R. 211, effective December 14, 1999 (Supp. 99-4). Amended by final rulemaking at 12 A.A.R. 212, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 1199, effective June 30, 2012.

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

R12-4-301. Definitions

In addition to the definitions provided under A.R.S. § 17-101, the following definitions apply to this Article unless otherwise specified:

“Dip net” means any net, excluding the handle, that is no greater than 3 feet in the greatest dimension, hand-held, and non-motorized; and the motion of the net is caused by the physical effort of the individual.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. § 17-231(A)(1)

Historical Note

New Section made by final rulemaking at 18 A.A.R. 1458, effective January 1, 2013.

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

- A.** An individual may only use the following methods to take big game, subject to the restrictions under R12-4-303 and R12-4-318.

1. To take antelope:

- a. Centerfire rifles;
- b. Muzzleloading rifles;
- c. All other rifles using black powder or synthetic black powder;
- d. Centerfire handguns;
- e. Handguns using black powder or synthetic black powder;
- f. Shotguns shooting slugs, only;
- g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
- h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(1)(g) to be drawn and held with an assisting device.

2. To take bear:

- a. Centerfire rifles;
- b. Muzzleloading rifles;
- c. All other rifles using black powder or synthetic black powder;
- d. Centerfire handguns;
- e. Handguns using black powder or synthetic black powder;
- f. Shotguns shooting slugs, only;
- g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
- h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(2)(g) to be drawn and held with an assisting device; and
- i. Pursuit with dogs between August 1 and December 31, only.

3. To take bighorn sheep:

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- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(3)(g) to be drawn and held with an assisting device.
4. To take buffalo:
- a. State-wide, except for the game management units identified under subsection (A)(4)(b):
 - i. Centerfire rifles;
 - ii. Muzzleloading rifles;
 - iii. All other rifles using black powder or synthetic black powder;
 - iv. Centerfire handguns no less than .41 Magnum or centerfire handguns with an overall cartridge length of no less than two inches;
 - v. Bows with a standard pull of 40 or more lbs, using arrows with broadheads of no less than 7/8 inch in width with metal cutting edges; and
 - vi. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(4)(a)(v) to be drawn and held with an assisting device.
 - b. In game management units 5A and 5B:
 - i. Centerfire rifles;
 - ii. Muzzleloading rifles; and
 - iii. All other rifles using black powder or synthetic black powder.
5. To take deer:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(5)(g) to be drawn and held with an assisting device.
6. To take elk:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;
 - g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(6)(g) to be drawn and held with an assisting device.
7. To take javelina:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs, only;

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- g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(7)(g) to be drawn and held with an assisting device;
 - i. .22 rimfire magnum rifles; and
 - j. 5 mm rimfire magnum rifles.
8. To take mountain lion:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;
 - f. Shotguns shooting slugs or shot;
 - g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(8)(g) to be drawn and held with an assisting device;
 - i. Artificial light, during seasons with daylong hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
 - j. Pursuit with dogs.
9. To take turkey:
- a. Centerfire rifles;
 - b. Muzzleloading rifles;
 - c. All other rifles using black powder or synthetic black powder;
 - d. Centerfire handguns;
 - e. Handguns using black powder or synthetic black powder;

- f. Shotguns shooting slugs or shot;
 - g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
 - h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(9)(g) to be drawn and held with an assisting device;
 - i. .22 rimfire magnum rifles;
 - j. 5 mm rimfire magnum rifles; and
 - k. .17 rimfire magnum rifles.
- B.** An individual may only use the following methods to take small game, subject to the restrictions under R12-4-303 and R12-4-318.
- 1. To take cottontail rabbits and tree squirrels:
 - a. Firearms,
 - b. Bow and arrow,
 - c. Crossbow,
 - d. Pneumatic weapons,
 - e. Slingshots,
 - f. Hand-held projectiles,
 - g. Falconry, and
 - h. Dogs.
 - 2. To take all upland game birds and Eurasian Collared-doves:
 - a. Bow and arrow;
 - b. Falconry;
 - c. Pneumatic weapons;
 - d. Shotguns shooting shot, only;
 - e. Handguns shooting shot only;
 - f. Crossbow;
 - g. Hand-held projectiles; and
 - h. Dogs.
 - 3. To take migratory game birds, except Eurasian Collared-doves:
 - a. Bow and arrow;
 - b. Crossbow;
 - c. Falconry;

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- d. Shotguns shooting shot, except that lead shot shall not be used or possessed while taking ducks, geese, swans, mergansers, common moorhens, or coots;
 - e. Shotguns shooting shot and incapable of holding more than two shells in the magazine, unless plugged with a one-piece filler that cannot be removed without disassembling the gun that limits the magazine capacity to two shells; and
 - f. Dogs.
- C.** An individual may take waterfowl from a watercraft except a sinkbox, subject to the following conditions:
- 1. The motor, if any, is shut off, the sail, if any, is furled, and any progress from a motor or sail has ceased;
 - 2. The watercraft may be drifting as a result of current or wind action; may be beached, moored, or resting at anchor; or may be propelled by paddle, oars, or pole; and
 - 3. The individual may use the watercraft under power to retrieve dead or crippled waterfowl, but no shooting is permitted while the watercraft is underway.
- D.** An individual may take predatory and furbearing animals by using the following methods, subject to the restrictions under R12-4-303 and R12-4-318:
- 1. Firearms;
 - 2. Bow and arrow;
 - 3. Crossbow;
 - 4. Traps not prohibited under R12-4-307;
 - 5. Artificial light while taking raccoon provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
 - 6. Artificial light while taking coyote during seasons with daylong hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
 - 7. Dogs.
- E.** An individual may take nongame mammals and birds by any method

not prohibited under R12-4-303 or R12-4-318, subject to the following restrictions. An individual:

- 1. Shall not take nongame mammals and birds using foothold traps;
 - 2. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
 - 3. Shall not use firearms at night; and
 - 4. May use artificial light while taking nongame mammals and birds, if the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.
- F.** An individual may take reptiles by any method not prohibited under R12-4-303 or R12-4-318 subject to the following restrictions. An individual:
- 1. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
 - 2. Shall not use firearms at night; and
 - 3. May use artificial light while taking reptiles provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.
- G.** For the purposes of Commission Orders authorized under this Section, “day-long” means the 24-hour period from midnight to midnight.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-235, 17-251, 17-301, and 17-305

Historical Note

Amended effective May 21, 1975 (Supp. 75-1). Amended effective May 3, 1976 (Supp. 76-3). Amended effective October 20, 1977 (Supp. 77-5). Amended effective January 11, 1978 (Supp. 78-1). Amended effective September 7, 1978 (Supp. 78-5). Amended effective November 14, 1979 (Supp. 79-6). Amended effective July 22, 1980 (Supp. 80-4). Former Section R12-4-53 renumbered as Section R12-4-304 without change effective August 13, 1981 (Supp. 81-4). Amended effective May 12, 1982 (Supp. 82-3).

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Amended effective April 7, 1983 (Supp. 83-2). Amended subsection (I) effective June 7, 1984 (Supp. 84-3). Amended effective February 28, 1985 (Supp. 85-1). Amended effective September 16, 1985 (Supp. 85-5). Amended effective June 4, 1987 (Supp. 87-2). Former Section R12-4-304 repealed, new Section R12-4-304 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-304 repealed, new Section R12-4-304 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Former Section R12-4-304 repealed, new Section R12-4-304 adopted effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 8 A.A.R. 1702, effective March 11, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by exempt rulemaking at 17 A.A.R. 2629, Effective December 9, 2011.

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

- A.** Methods of lawfully taking wild mammals and birds during seasons designated by Commission Order as "general" seasons are designated under R12-4-304.
- B.** Methods of lawfully taking big game during seasons designated by Commission Order as "special" are designated under R12-4-304. "Special" seasons are open only to individuals who possess a special big game license tag authorized under A.R.S. § 17-346 and R12-4-120.
- C.** When designated by Commission Order, the following seasons have specific requirements and lawful methods of take more restrictive than those for general and special seasons, as prescribed in this Section. While taking the species authorized by the season:
 - 1. An individual participating in a "CHAMP" season shall be a challenged hunter access/mobility permit holder as established under R12-4-217.
 - 2. An individual under the age of 18 who meets the requirements prescribed under A.R.S. § 17-335 may participate in a "juniors-only hunt." A youth hunter whose 18th birthday occurs during a "juniors-only hunt" for which the hunter has a valid permit or tag may continue to participate for the duration of that "juniors-only hunt."

- 3. An individual participating in a "pursuit-only" season may use dogs to pursue bears, mountain lions, or raccoons as designated by Commission Order, but shall not kill or capture the quarry. An individual participating in a "pursuit-only" season shall possess and, at the request of Department personnel, produce a valid hunting license and any required tag for taking the animal pursued, even though there shall be no kill.
- 4. An individual participating in a "restricted season" may use any lawful method authorized for a specific species under R12-4-304, except dogs may not be used to pursue the wildlife for which the season was established.
- 5. An individual participating in an "archery-only" season shall not use any other weapons, including crossbows or bows with a device that holds the bow in a drawn position, except as authorized under R12-4-216. An individual participating in an "archery-only" season may only use the following methods or devices:
 - a. Bows and arrows as prescribed under R12-4-304, and
 - b. Falconry.
- 6. An individual participating in a "handgun, archery, and muzzleloader (HAM)" season may only use one or more of the following methods or devices:
 - a. Bows and arrows as prescribed under R12-4-304,
 - b. Crossbows as prescribed under R12-4-304 or bows to be drawn and held with an assisting device,
 - c. Handguns, and
 - d. Muzzle-loading rifles as defined under R12-4-101.
- 7. An individual participating in a "muzzleloader" season shall not use any firearm other than muzzle-loading rifles or muzzle-loading handguns, as defined under R12-4-101.
- 8. An individual participating in a "limited weapon" season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
 - a. Any trap except foothold traps,
 - b. Bow and arrow,
 - c. Capture by hand,

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- d. Crossbows as prescribed under R12-4-304 or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons, or
 - j. Slingshots.
9. An individual participating in a “limited weapon hand or hand-held implement” season may only use one or more of the following methods or devices for taking wildlife, when prescribed under R12-4-304 as lawful for the species hunted:
- a. Catch-pole,
 - b. Hand,
 - c. Snake hook, or
 - d. Snake tongs.
10. An individual participating in a “limited weapon-pneumatic” season may only use one or more of the following methods or devices for taking wildlife, when prescribed under R12-4-304 as lawful for the species hunted:
- a. Capture by hand,
 - b. Dogs,
 - c. Falconry,
 - d. Hand-propelled projectiles,
 - e. Nets,
 - f. Pneumatic weapons discharging a single projectile .22 caliber or smaller, or
 - g. Slingshots.
11. An individual participating in a “limited weapon-rimfire” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
- a. Any trap except foothold traps,
 - b. Bow and arrow,
 - c. Capture by hand,
 - d. Crossbows as prescribed under R12-4-304 or bows to be drawn and held with an assisting device,
- e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons,
 - j. Rifled firearms using rimfire cartridges,
 - k. Shotgun shooting shot or slug, or
 - l. Slingshots.
12. An individual participating in a “limited weapon-shotgun” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
- a. Any trap except foothold traps,
 - b. Bow and arrow,
 - c. Capture by hand,
 - d. Crossbows as prescribed under R12-4-304 or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,
 - i. Pneumatic weapons,
 - j. Shotgun shooting shot or slug, or
 - k. Slingshots.
13. An individual participating in a “limited weapon-shotgun shooting shot” season may only use one or more of the following methods or devices for taking wildlife, when authorized under R12-4-304 as lawful for the species hunted:
- a. Any trap except foothold traps,
 - b. Bow and arrow,
 - c. Capture by hand,
 - d. Crossbows as prescribed under R12-4-304 or bows to be drawn and held with an assisting device,
 - e. Dogs,
 - f. Falconry,
 - g. Hand-propelled projectiles,
 - h. Nets,

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- i. Pneumatic weapons,
 - j. Shotgun shooting shot, or
 - k. Slingshots.
14. An individual participating in a "falconry-only" season shall be a falconer licensed under R12-4-422 unless exempt under A.R.S. § 17-236(C) or R12-4-407. A falconer participating in a "falconry-only" season shall use no other method of take except falconry.
15. An individual participating in a "raptor capture" season shall be a falconer licensed under R12-4-422 unless exempt under R12-4-407.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-234, 17-235, 17-251, 17-301, 17-305, 17-307, 17-333, 17-346, and 17-371(D)

Historical Note

Adopted effective June 4, 1987 (Supp. 87-2). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended effective January 1, 1997; filed in the Office of the Secretary of State July 12, 1996 (Supp. 96-3). Amended effective January 1, 1998; filed in the Office of the Secretary of State November 10, 1997 (Supp. 97-4). Amended by final rulemaking at 6 A.A.R. 211, effective January 1, 2000 (Supp. 99-4). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 16 A.A.R. 1460, effective September 11, 2010 (Supp. 10-3). Amended by final rulemaking at 18 A.A.R. 1458, effective January 1, 2013.

R12-4-321. Restrictions for Taking Wildlife in City, County, or Town Parks and Preserves

- A. All city, county, and town parks and preserves are closed to hunting, unless open by Commission Order.
- B. Unless otherwise provided under Commission Order or rule, a city, county, or town may:
- 1. Limit or prohibit any individual from hunting or trapping within 1/4 mile of any:
 - a. Developed picnic area,
 - b. Developed campground,
 - c. Boat ramp,
 - d. Shooting range,
 - e. Occupied structure, or
 - f. Golf course.
 - 2. Require an individual entering a city, county, or town park or preserve, for the purpose of hunting, to declare the individual's intent to hunt when entering the park or preserve, if the park or preserve has an entry station in operation.
 - 3. Allow an individual to take wildlife in a city, county, or town park or preserve only during the posted park or preserve hours.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-234, 17-301(D), 13-3107, and 13-3108

Historical Note

Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective May 3, 1976, Amended effective June 7, 1976 (Supp. 76-3). Amended effective May 26, 1978 (Supp. 78-3). Editorial correction subsection (D) (Supp. 78-5). Amended effective June 4, 1979 (Supp. 79-3). Former Section R12-4-50 renumbered as Section R12-4-301 without change effective August 13, 1981 (Supp. 81-4). Amended subsection (A) effective May 12, 1982 (Supp. 82-3). Amended effective July 3, 1984 (Supp. 84-4). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30,

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1988" (Supp. 89-2). Amended effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Adopted as Section R17-4-301 and renumbered and amended as Section R17-4-321 effective January 1, 2013.

ARTICLE 4. LIVE WILDLIFE

R12-4-406. Restricted Live Wildlife

- A.** For the purposes of this Section, "transgenic species" means any organism that has had genes from another organism put into its genome through direct human manipulation of that genome. Transgenic species do not include natural hybrids nor individuals that have had their chromosome number altered to induce sterility. A transgenic animal is considered wildlife if the animal is an offspring of a wildlife species.
- B.** In addition to any applicable federal license or permit an individual shall possess the appropriate special license listed under R12-4-409(A) or act under a lawful exemption from the requirements of this Article in order to possess wildlife listed under this Section for any activity prohibited under A.R.S. §§ 17-255.02, 17-306, R12-4-402, or R12-4-1102. Exemptions from these requirements are listed under A.R.S. § 17-255.04, R12-4-316, R12-4-404, R12-4-405, R12-4-407, R12-4-425, R12-4-427, and R12-4-430.
- C.** Requirements for the use of wildlife that occurs in the wild in this state and that has been taken alive under the authority of a valid state hunting and fishing license are prescribed in R12-4-404 and R12-4-405.
- D.** Domestic animals, as defined in R12-4-401, are not subject to restrictions under A.R.S. Title 17, this Chapter, or Commission Orders.
- E.** Hybrid wildlife, as defined in R12-4-401, that result from the interbreeding of at least one parent species of wildlife that is listed under this Section are regulated by this Section.
- F.** Unless specified otherwise in this Article, all transgenic species are restricted live wildlife.
- G.** Unless specified otherwise, mammals listed below are restricted live wildlife as defined in R12-4-401. The taxonomic classification from Volumes I and II of Walker's Mammals of the World, Sixth Edition, 1999, and not including any later edition, is the authority in the following designations. A copy is available for inspection at any

Department office and from the Johns Hopkins University Press, 2715 N. Charles St., Baltimore, MD 21218-4363.

1. All species of the genus *Didelphis*. Common name: American opossums;
2. All species of the order Insectivora. Common names include: Insectivores, shrews, hedgehogs, tenrecs, solenodonts, and moles;
3. All species of the order Chiroptera. Common name: bats;
4. All species of the family Pongidae of the order Primates. Common names include: orangutans, chimpanzees, gorillas;
5. All species of the order Xenarthra. Common names include: edentates; or sloths, anteaters, and armadillos;
6. All species of the order Lagomorpha, except the genus *Oryctolagus*. Common names include: pikas, rabbits, and hares. Genus *Oryctolagus*, containing domestic rabbits, is not wildlife;
7. All species of the following families of the order Rodentia. Common name: rodents.
 - a. The family Sciuridae. Common names: squirrels, chipmunks, marmots, woodchucks, and prairie dogs;
 - b. The family Geomyidae. Common name: pocket gophers;
 - c. The family Castoridae. Common name: beavers;
 - d. The family Erethizontidae. Common name: New World porcupines; and
 - e. The family Capromyidae. Common names include: hutias, coypus, or nutrias;
8. All species of the order Carnivora. Common names include: carnivores, skunks, raccoons, bears, foxes, and weasels; and
9. All species of the following families of the order Artiodactyla. Common name: even-toed ungulates.
 - a. The family Tayassuidae. Common name: peccaries;
 - b. The family Cervidae. Common names include: cervid; or deer, elk, moose, wapiti, and red deer;
 - c. The family Antilocapridae. Common name: pronghorn; and
 - d. The family Bovidae. Common names include: cattle, buffalo, bison, oxen, duikers, antelopes, gazelles, goats, and sheep, except that the following are not restricted:
 - i. The genus *Bubalus*. Common name: water buffalo; and
 - ii. The genus *Bison*. Common name: bison, American bison

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or buffalo.

- H.** Birds listed below are restricted live wildlife as defined in R12-4-401.
1. The following species within the family Phasianidae. Common names: partridges, grouse, turkeys, quail, and pheasants.
 - a. *Callipepla gambelii*. Common name: Gambel's quail;
 - b. *Callipepla squamata*. Common name: scaled quail;
 - c. *Colinus virginianus*. Common name: northern bobwhite. Restricted only in game management units 34A, 36A, 36B, and 36C as prescribed in R12-4-108;
 - d. *Cyrtonyx montezumae*. Common name: Montezuma, harlequin or Mearn's quail; and
 - e. *Dendragapus obscurus*. Common name: blue grouse; and
 2. The species *Rhynchopsitta pachyrhyncha*. Common name: thick-billed parrot.
- I.** Reptiles listed below are restricted live wildlife as defined in R12-4-401.
1. All species of the order Crocodylia. Common names include: gavials, caimans, crocodiles, and alligators;
 2. The following species of the order Testudines. Common names include: turtles and tortoises;
 - a. All species of the family Chelydridae. Common name: snapping turtles; and
 - b. All species of the genus *Gopherus*. Common name: gopher tortoises, including the desert tortoise; and
 3. All species of the following families or genera of the order Squamata.
 - a. The family Helodermatidae. Common names include: Gila monster and Mexican beaded lizard;
 - b. The family Elapidae. Common names include: cobras, mambas, coral snakes, kraits, and Australian elapids;
 - c. The family Hydrophiidae. Common name: sea snakes;
 - d. The family Viperidae. Common names include: true vipers and pit vipers, including rattlesnakes;
 - e. The family Atractaspidae. Common name: burrowing asps; and
 - f. The following species and genera of the family Colubridae:
 - i. *Dispholidus typus*. Common name: boomslang;

- ii. *Thelotornis kirtlandii*. Common names include: bird snake or twig snake;
- iii. *Rhabdophis*. Common name: keelback; and
- iv. *Boiga irregularis*. Common name: brown tree snake.

- J.** Amphibians listed below are restricted live wildlife as defined in R12-4-401. The following species within the order Anura, common names frogs and toads.
1. All species of the genus *Xenopus*. Common name: clawed frogs;
 2. The species *Bufo horribilis*, *Bufo marinus*, *Bufo paracnemis*. Common names include: giant or marine toads; and
 3. All species of the genus *Rana*. Common names include: leopard frogs and bullfrogs. Bullfrogs possessed under A.R.S. § 17-102 are exempt.
- K.** Fish listed below are restricted live wildlife as defined in R12-4-401.
1. Arctic grayling, the species *Thymallus arcticus*;
 2. Bass, all species of the family Serranidae;
 3. Bighead carp, the species *Aristichthys nobilis*;
 4. Black carp, the species *Mylopharyngodon piceus*;
 5. Bony tongue, the species *Arapaima gigas*;
 6. Bowfin, the species *Amia calva*;
 7. Catfish, all species of the family Ictaluridae;
 8. Crucian carp, the species *Carassius carassius*;
 9. Electric catfish, the species *Malapterurus electricus*;
 10. Electric eel, the species *Electrophorus electricus*;
 11. European whitefish or ide, the species *Leuciscus idus* and *Idus idus*;
 12. Freshwater drum, the species *Aplodinotus grunniens*;
 13. Freshwater stingrays, all species of the family Potamotrygonidae;
 14. Gars, all species of the family Lepisosteidae;
 15. Goldeye, mooneye, and all species of the family Hiodontidae;
 16. Herring, all species of the family Clupeidae;
 17. Indian carp, all of the species *Catla catla*, *Cirrhina mrigala*, and *Labeo rohita*;
 18. Lampreys, all species of the family Petromyzontidae;
 19. Nile perch, all species of the genus *Lates* and *Luciolates*;
 20. Pike or pickerels, all species of the family Esocidae;
 21. Pike topminnow, the species *Belonesox belizanus*;

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22. Piranha, all species of the genera *Serrasalmus*, *Serrasalmo*, *Phylocentrus*, *Teddyella*, *Rooseveltiella*, and *Pygopristis*;
 23. Rudd, the species *Scardinius erythrophthalmus*;
 24. Shad, all species of the family Clupeidae except threadfin shad, species *Dorosoma petenense*;
 25. Sharks, all species, both marine and freshwater, of the orders Hexanchiformes, Heterodontiformes, Squaliformes, Pristiophoriformes, Squatiniformes, Orectolobiformes, Lamniformes, and Carcharhiniformes, except for all species of the families Hemiscilliidae, Orectolobidae, Brachaeluridae, and Triakidae; genera of the family Scyliorhinidae, including *Aulohaelurus*, *Haelurus*, *Haploblepharus*, *Poroderma*, and *Scyliorhinus*; and genera of the family Parascylliidae, including *Cirroscyllium* and *Parascyllium*;
 26. Silver carp, the species *Hypophthalmichthys molitrix*;
 27. Snakehead, all species of the family Channidae;
 28. South American parasitic catfish, all species of the family Trichomycteridae and Cetopsidae;
 29. Sunfish, all species of the family Centrarchidae;
 30. Temperate basses of the family Moronidae;
 31. Tetras, all species of the genus *Astyanax*;
 32. Tiger fish, the species *Hoplias malabaricus*;
 33. Trout, all species of the family Salmonidae;
 34. White amur or grass carp, the species *Ctenopharyngodon idella*;
 35. Walking or airbreathing catfish, all species of the family Clariidae; and
 36. Walleye, and pike perches, all species of the family Percida.
- L.** Crustaceans listed below are restricted live wildlife as defined in R12-4-401.
1. Asiatic mitten crab, the species *Eriocheir sinensis*; and
 2. Australian crayfish and all freshwater species within the families Astacidae, Cambaridae, and Parastacidae.
- M.** Mollusks listed below are restricted live wildlife as defined in R12-4-401:
1. Asian clam, the species *Corbicula fluminea*;
 2. New Zealand mud snail, the species *Potamopyrgus antipodarum*;
 3. Quagga mussel, the species *Dreissena bugensis*;

4. Rosy wolfsnail, the species *Euglandina rosea*; and
5. Zebra mussel, the species *Dreissena polymorpha*.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-231(A)(2), 17-231(B)(8), and 17-306

Historical Note

Adopted effective April 28, 1989 (Supp. 89-2). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended by final rulemaking at 7 A.A.R. 2220, effective May 25, 2001 (Supp. 01-2). Amended by final rulemaking at 9 A.A.R. 3186, effective August 30, 2003 (Supp. 03-3). Amended by final rulemaking at 12 A.A.R. 980, effective May 6, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).

R12-4-422. Sport Falconry License

- A.** In addition to the definitions provided under A.R.S. § 17-101, R12-4-101, and R12-4-401, and for the purposes of this Section, the following definitions apply:
- “Abatement services” means the use of raptors possessed under a falconry permit for the control of nuisance species.
- “Captive-bred raptor” means a raptor hatched in captivity.
- “Hack” means the temporary release of a raptor into the wild to condition the raptor for use in falconry.
- “Health certificate” means a certification issued by an accredited veterinarian.
- “Imping” means using a molted feather to replace or repair a damaged or broken feather.
- “Retrices” means a raptor’s tail feathers.
- “Sponsor” means a licensed General or Master falconer with a valid Arizona Sport Falconry license who has committed to mentoring an Apprentice falconer.
- “Suitable perch” means a perch that is of the appropriate size and texture for the species of raptor using the perch.

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“USFWS” means the U.S. Fish and Wildlife Service.

“Wild raptor” means a raptor taken from the wild, regardless of how long the raptor is held in captivity or whether the raptor is transferred to another licensed falconer or other permit type.

- B.** An Arizona Sport Falconry license permits an individual to possess and train a raptor for the purpose of sport falconry in compliance with the Migratory Bird Treaty Act and the Endangered Species Act of 1973. A resident who possesses or intends to possess a raptor for the purpose of sport falconry shall hold an Arizona Sport Falconry license, unless the individual is exempt under A.R.S. § 17-236(C) or possesses only raptors not listed under 50 CFR 10.13, revised October 1, 2010, and no later amendments or editions. The incorporated material is available from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, and is on file with the Department.
- C.** The Department shall comply with the licensing time-frame established under R12-4-106 to issue a Sport Falconry license and collect the fee established under R12-4-102.
- D.** A licensed falconer may possess and train wild, captive-bred, or hybrid raptors, subject to the limitations established under subsections (H)(1), (H)(2), and (H)(3), as applicable.
- E.** In addition to the requirements established under this Section, a licensed falconer shall also comply with special license requirements established under R12-4-409.
- F.** A Sport Falconry license does not authorize a licensed falconer to capture or release a raptor or practice falconry on public lands where prohibited or on private property without permission from the landowner or land management agency.
- G.** The Department shall deny a license to an individual who fails to meet the requirements established under R12-4-409, R12-4-428, or this Section. The Department shall provide a written notice to an applicant stating the reason for the denial. The individual may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.
- H.** The Department may issue a Sport Falconry license for the following levels to an eligible individual:
 - 1. Apprentice level license:

- a. An Apprentice falconer shall:
 - i. Be at least 12 years of age; and
 - ii. Have a sponsor while practicing falconry as an apprentice. When a sponsorship is terminated, the apprentice is prohibited from practicing falconry until a new sponsor is acquired. After acquiring a new sponsor, an apprentice shall submit a written statement from the new sponsor to the Department within 30 days. The written statement shall meet the requirements established under subsection (K)(3)(a)(v).
 - b. An Apprentice falconer may possess only one raptor at a time for use in falconry.
 - c. An Apprentice falconer is prohibited from possessing any:
 - i. Federally listed threatened or endangered species,
 - ii. Raptor taken from the wild as a nestling,
 - iii. Raptor that has imprinted on humans,
 - iv. Bald eagle (*Haliaeetus leucocephalus*),
 - v. White-tailed eagle (*Haliaeetus albicilla*),
 - vi. Steller's sea-eagle (*Haliaeetus pelagicus*), or
 - vii. Golden eagle (*Aquila chrysaetos*).
- 2. General level license:
 - a. A General falconer shall:
 - i. Be at least 16 years of age; and
 - ii. Have practiced falconry as an apprentice falconer for at least two years, including maintaining, training, flying, and hunting with a raptor for at least four months in each year. An applicant cannot substitute any falconry school or educational program to shorten the two-year Apprentice period.
 - b. A General falconer may possess up to three raptors at a time for use in falconry.
 - c. A General falconer is prohibited from possessing a:
 - i. Bald eagle,
 - ii. White-tailed eagle,
 - iii. Steller's sea-eagle, or
 - iv. Golden eagle.
- 3. Master level license:

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- a. A Master falconer shall have practiced falconry as a General falconer for at least five years using raptors possessed by that falconer.
 - b. A Master falconer may possess:
 - i. Any species of wild, captive-bred, or hybrid raptor.
 - ii. Any number of captive-bred raptors provided they are trained and used in the pursuit of wild game; and
 - iii. Up to three of the following species, provided the requirements established under subsection (H)(3)(d) are met: Golden eagle, White-tailed eagle, or Steller's Sea eagle.W
 - c. A Master falconer is prohibited from possessing:
 - i. More than three eagles
 - ii. A bald eagle, or
 - iii. More than five wild caught raptors.
 - d. A Master falconer who wishes to possess an eagle shall apply for and receive approval from the Department before possessing an eagle for use in falconry. The licensed falconer shall submit the following documentation to the Department before a request may be considered:
 - i. Proof the licensed falconer has experience in handling large raptors such as, but not limited to, ferruginous hawks (*Buteo regalis*) and goshawks (*Accipiter gentilis*);
 - ii. Information regarding the raptor species, to include the type and duration of the activity in which the experience was gained; and
 - iii. Written statements of reference from two individuals who have experience handling or flying large raptors such as, but not limited to, eagles, ferruginous hawks, and goshawks. Each written statement shall contain a concise history of the author's experience with large raptors, and an assessment of the applicant's ability to care for and fly an eagle.
- I.** A sponsor shall:
- 1. Be at least 18 years of age;
 - 2. Have practiced falconry as a General falconer for at least two years;
 - 3. Sponsor no more than three apprentices during the same period of time;
 - 4. Notify the Department within 30 consecutive days after a sponsorship is terminated;
 - 5. Determine the appropriate species of raptor for possession by an apprentice; and
 - 6. Provide instruction pertaining to the:
 - a. Husbandry, training, and trapping of raptors held for falconry;
 - b. Hunting with a raptor; and
 - c. Relevant wildlife laws and regulations.
- J.** A falconer licensed in another state or country is exempt from obtaining an Arizona Sport Falconry license under R12-4-407(A)(7), unless remaining in Arizona for more than 180 consecutive days. A falconer licensed in another state or country and who remains in this State for more than the 180-day period shall apply for an Arizona Sport Falconry license in order to continue practicing sport falconry in this state. The falconer licensed in another state or country shall present a copy of the out-of-state or out-of-country falconry license, or its equivalent, to the Department upon request.
- 1. A falconer licensed in another state shall:
 - a. Comply with all applicable state and federal falconry regulations,
 - b. Possess only those raptors authorized under the out-of-state sport falconry license, and
 - c. Provide a health certificate for each raptor possessed under the out-of-state sport falconry license when the raptor is present in this state for more than 30 consecutive days. The health certificate may be issued after the date of the interstate importation, but shall have been issued no more than 30 consecutive days prior to the interstate importation.
 - 2. A falconer licensed in another country may possess, train, and use for falconry only those raptors authorized under the out-of-country sport falconry license, provided the import of that species into the U.S. is not prohibited. This subsection does not prohibit the falconer from flying or training a raptor lawfully possessed by any other licensed falconer.

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3. A falconer licensed in another country is prohibited from leaving an imported raptor in this state, unless authorized under federal permit. The falconer shall report the death or escape of a raptor possessed by that falconer to the Department as established under subsection (O)(1) or prior to leaving the State, whichever occurs first.
4. A falconer licensed in another country shall:
 - a. Comply with all applicable state and federal falconry regulations;
 - b. Comply with falconry licensing requirements prescribed by the country of licensure not in conflict with federal or state law;
 - c. Notify the Department no less than 30 consecutive days prior to importing a raptor into this State;
 - d. Provide a health certificate, issued no earlier than 30 consecutive days prior to the date of importation, for each raptor imported into this State; and
 - e. Attach two functioning radio transmitters to any raptor imported into this country by the falconer while flown free in this state by any falconer.
- K.** An applicant for a Sport Falconry license shall submit a completed application to any Department office. The application is furnished by the Department and available at any Department office or online at www.azgfd.gov.
 1. An applicant shall provide all of the following information on the application:
 - a. Falconry level desired;
 - b. Name;
 - c. Date of birth;
 - d. Telephone number, when available;
 - e. Mailing address;
 - f. Department I.D. number or Social Security number;
 - g. E-mail address, when available;
 - h. Applicant's physical description:
 - i. Gender;
 - ii. Weight;
 - iii. Eye color;
 - iv. Hair color;
 - i. Arizona Hunting license number;
 - j. Number of years of experience as a falconer;
 - k. Current Falconry license level;
 - l. Physical address of a facility when the raptor is kept at another location, when applicable;
 - m. Information documenting all raptors possessed by the applicant at the time of application, to include:
 - i. Species;
 - ii. Subspecies, when applicable;
 - iii. Age;
 - iv. Sex;
 - v. Band or microchip number, as applicable;
 - vi. Date and source of acquisition; and
 - n. Applicant's signature;
 - o. Parent or legal guardian's signature, when the applicant is under the age of 18;
 - p. Date of application; and
 - q. Any other information required by the Department.
 2. An applicant shall certify that the applicant has read and is familiar with the regulations under 50 CFR Part 13 and the other applicable parts in 50 CFR Chapter I, Subchapter B and that the information submitted is complete and accurate to the best of their knowledge and belief.
 3. In addition to the information required under subsection (K)(1), an individual applying for:
 - a. An Apprentice level license shall also provide the sponsor's:
 - i. Name,
 - ii. Date of birth,
 - iii. Mailing address,
 - iv. Department I.D. number, and
 - v. A written statement from the sponsor stating that the falconer agrees to sponsor the applicant.
 - b. A General level license shall also provide:
 - i. Information documenting the applicant's experience in maintaining falconry raptors, to include the species and

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- period of time each raptor was possessed while licensed as an Apprentice falconer; and
- ii. A written statement from the sponsor certifying that the applicant has practiced falconry at the Apprentice falconer level for at least two years, and maintained, trained, flown, and hunted with a raptor for at least four months in each year.
 - c. A Master level license shall certify that the falconer has practiced falconry as a General falconer for at least five years.
- L.** An applicant for any level Sport Falconry license shall pay all applicable fees established under R12-4-102.
- M.** The Department shall inspect the applicant's raptor facilities, materials, and equipment to verify compliance with requirements established under R12-4-409(G), R12-4-428, and this Section before issuing a Sport Falconry license. The applicant or licensed falconer shall ensure all raptors currently possessed by the falconer and kept in the facility are present at the time of inspection.
- 1. Department may re-inspect a facility:
 - a. After a change of location, when the Department cannot verify the facility is the same facility as the one approved by a previous inspection, or
 - b. Prior to the acquisition of a new species or addition of another raptor when the previous inspection does not indicate the facilities can accommodate a new species or additional raptor.
 - 2. A licensed falconer shall notify the Department no more than five business days after changing the location of a facility.
 - 3. When a facility is located on property not owned by the licensed falconer, the falconer shall provide a written statement signed and dated by the property owner at the time of inspection. The written statement shall specify that the licensed falconer has permission to keep a raptor on the property and the property owner permits the Department to inspect the falconry facility at any reasonable time of day and in the presence of the licensed falconer.
 - 4. A licensed falconer shall ensure the facility:
 - a. Provides a healthy and safe environment,
 - b. Is designed to keep predators out,
 - c. Is designed to avoid injury to the raptor,
 - d. Is easy to access,
 - e. Is easy to clean, and
 - f. Provides access to fresh water and sunlight.
5. In addition to the requirements established under R12-4-409(G) and R12-4-428:
- a. A licensed falconer shall ensure facilities where raptors are held have:
 - i. A suitable perch that is protected from extreme temperatures, wind, and excessive disturbance for each raptor;
 - ii. At least one opening for sunlight; and
 - iii. Walls that are solid, constructed of vertical bars spaced narrower than the width of the body of the smallest raptor housed therein, or any other suitable materials approved by the Department.
 - b. A licensed falconer shall possess all of the following equipment:
 - i. At least one flexible, weather-resistant leash;
 - ii. One swivel appropriate to the raptor being flown;
 - iii. At least one water container, available to each raptor kept in the facility, that is at least two inches deep and wider than the length of the largest raptor using the container;
 - iv. A reliable scale or balance suitable for weighing raptors, graduated in increments of not more than 15 grams;
 - v. Suitable equipment that protects the raptor from extreme temperatures, wind, and excessive disturbance while transporting or housing a raptor when away from the permanent facility where the raptor is kept, and
 - vi. At least one pair of jesses constructed of suitable material or Alymeri jesses consisting of an anklet, grommet, and removable strap that attaches the anklet and grommet to a swivel. The falconer may use a one-piece jess only when the raptor is not being flown.
6. A licensed falconer may keep a falconry raptor inside the falconer's residence provided a suitable perch is supplied. The falconer shall ensure all flighted raptors kept inside a residence are tethered or otherwise restrained at all times,

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unless the falconer is moving the raptor into or out of the residence. This subsection does not apply to unflighted eyas, which do not need to be tethered or otherwise restrained.

7. A licensed falconer may keep multiple raptors together in one enclosure untethered only when the raptors are compatible with each other.
8. A licensed falconer may keep a raptor temporarily outdoors in the open provided the raptor is continually under observation by the falconer or an individual designated by the falconer.
9. A licensed falconer may keep a raptor in a temporary facility that the Department has inspected and approved for no more than 120 consecutive days.
10. A licensed falconer may keep a raptor in a temporary facility that the Department has not inspected or approved for no more than 30 consecutive days. The falconer shall notify the Department of the temporary facility prior to the end of the 30-day period. The Department may inspect a temporary facility as established under R12-4-409(G).

N. Prior to the issuance of a Sport Falconry license, an applicant shall:

1. Present proof of a previously held state-issued sport falconry license, or
2. Correctly answer at least 80% of the questions on the Department administered written examination.
 - a. An individual whose Sport Falconry license is expired more than five years shall take the examination. The Department shall issue to an eligible applicant a license for the sport falconry license type previously held by the applicant after the applicant correctly answers at least 80% of the questions on the written examination and presents proof of the previous Sport Falconry license.
 - b. An individual who holds a falconry license issued in another country shall correctly answer at least 80% of the questions on the written examination. The Department shall determine the level of license issued based upon the applicant's documentation.

O. A licensed falconer shall submit electronically a 3-186A form to report:

1. Any of the following raptor possession changes to the Department no more than 10 business days after the occurrence:
 - a. Acquisition,
 - b. Banding,
 - c. Escape into the wild without recovery after 30 consecutive days have passed,
 - d. Death,
 - e. Microchipping,
 - f. Rebanding,
 - g. Release,
 - h. Take, or
 - i. Transfer.
 2. A falconer shall immediately report to the Department and USFWS upon discovering the theft of a raptor.
- P.** A licensed falconer shall print and maintain copies of all required electronic database submissions for each falconry raptor possessed by the falconer. The falconer shall retain copies of all submissions for a period of five years from the date on which the raptor left the falconer's possession.
- Q.** A licensed falconer or an individual with a valid falconry license, or its equivalent, issued by any state meeting federal falconry standards may capture a raptor for the purpose of falconry only when authorized by Commission Order.
1. A falconer attempting to capture a raptor shall possess:
 - a. A valid Arizona Sport Falconry license or valid falconry license, or its equivalent, issued by another state, and
 - b. Any required Arizona hunt permit-tag issued to the licensed falconer for take of the authorized raptor, and
 - c. A valid Arizona hunting or combination license. A Three-Day Class H Hunting license is not valid for capturing a raptor under this subsection.
 2. An Apprentice falconer may take from the wild:
 - a. Any raptor not prohibited under subsection (H)(1)(c) that is less than one year of age, except nestlings or
 - b. An adult raptor.
 3. A General or Master falconer may take from the wild:
 - a. A raptor of any age, including nestlings, provided at least one

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- nestling remains in the nest; or
- b. An adult raptor.
4. A licensed falconer shall take no more than two raptors from the wild for use in falconry each calendar year. For the purpose of take limits, a raptor is counted towards the licensed falconer's take limit by the falconer who originally captured the raptor.
5. A falconer attempting to capture a raptor shall:
- Not use stupefying substances;
 - Use a trap or bird net that is not likely to cause injury to the raptor;
 - Ensure that each trap or net the falconer is using is continually attended; and
 - Ensure that each trap used for the purpose of capturing a raptor is marked with the falconer's name, address, and license number.
6. A licensed falconer shall report the injury of any raptor injured due to capture techniques to the Department. The falconer shall transport the injured raptor to a veterinarian or licensed rehabilitator and pay for the cost of the injured raptor's care and rehabilitation. After the initial medical treatment is completed, the licensed falconer shall either:
- Keep the raptor and the raptor shall count towards the falconer's take and possession limit, or
 - Transfer the raptor to a permitted wildlife rehabilitator and the raptor shall not count against the falconer's take or possession limit.
7. When a licensed falconer takes a raptor from the wild and transfers the raptor to another falconer who is present at a capture site, the falconer receiving the raptor is responsible for reporting the take of the raptor.
8. A General or Master falconer may capture a raptor that will be transferred to another licensed falconer who is not present at the capture site. The falconer who captured the raptor shall report the take of the raptor and the capture shall count towards the General or Master falconer's take limit. The General or Master falconer may then transfer the raptor to another falconer.
9. A General or Master falconer may capture a raptor for another licensed falconer who cannot attend the capture due to a long-term or permanent physical impairment. The licensed falconer with the physical impairment is responsible for reporting the take of the raptor and the raptor shall count against their take and possession limits.
10. A licensed falconer may capture any raptor displaying a seamless metal band, or any other item identifying it as a falconry raptor, regardless of whether the falconer is prohibited from possessing the raptor. The falconer shall return the recaptured raptor to the falconer of record. The raptor shall not count towards the falconer's take or possession limits, provided the falconer reports the temporary possession of the raptor to the Department no more than five consecutive days after capturing the raptor.
- When the falconer of record cannot or does not wish to possess the raptor, the falconer who captured the raptor may keep the raptor, provided the falconer is eligible to possess the species and may do so without violating any provisions established under this Section.
 - When the falconer of record cannot be located, the Department shall determine the disposition of the recaptured raptor.
11. A licensed falconer may capture and shall report the capture of any raptor wearing a transmitter to the Department no more than five business days after the capture. The falconer shall attempt to contact the researcher or licensed falconer who applied the transmitter and facilitate the replacement or retrieval of the transmitter and raptor. The falconer may possess the raptor for no more than 30 consecutive days while waiting for the researcher or falconer to retrieve the transmitter and raptor. The raptor shall not count towards the falconer's take or possession limits, provided the falconer reports the temporary possession of the raptor to the Department no more than five consecutive days after capturing the raptor. The Department shall determine the disposition of a raptor when the researcher or falconer does not replace the transmitter or retrieve the raptor within the initial 30-day period.

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12. A licensed falconer may capture any raptor displaying a federal Bird Banding Laboratory (BBL) aluminum research band or tag, except a peregrine falcon (*Falco peregrinus*). A licensed falconer who captures a raptor wearing a research band or tag shall report the following information to BBL, by calling 1(800) 327-2263, and the Department:
 - a. Species,
 - b. Band or tag number,
 - c. Location of the capture, and
 - d. Date of capture.
13. A licensed falconer may recapture a falconer's lost or any escaped falconry raptor at any time. The Department does not consider the recapture of a wild falconry raptor as taking a raptor from the wild.
14. When attempting to trap a raptor in Cochise, Graham, Pima, Pinal, or Santa Cruz counties, a licensed falconer shall:
 - a. Not begin trapping while a northern aplomado falcon (*Falco femoralis septentrionalis*) is observed in the vicinity of the trapping location.
 - b. Suspend trapping when a northern aplomado falcon arrives in the vicinity of the trapping location.
15. In addition to the requirements in subsection (Q)(14), an apprentice falconer shall be accompanied by a General or Master falconer when attempting to capture a raptor in Cochise, Graham, Pima, Pinal, or Santa Cruz counties.
16. A licensed Master falconer may take up to two golden eagles from the wild only as authorized under 50 CFR part 22. The Master falconer may:
 - a. Capture an immature or sub-adult golden eagle, or
 - b. Take a nestling from its nest or a nesting adult golden eagle in a livestock depredation area if a biologist representing the agency responsible for declaring the depredation area determines the adult eagle is preying on livestock or wildlife and that any nestling of the adult will be taken by a falconer authorized to possess it.
 - c. The falconer shall inform the Department of the capture plans in person, in writing, or by telephone at least three business days before trapping is initiated. The falconer may send

written notification to the Arizona Game and Fish Department's Law Enforcement Programs Coordinator at 5000 West Carefree Highway, Phoenix, Arizona 85086.

17. A licensed falconer shall ensure any falconry activities the falconer is conducting do not cause unlawful take under the Endangered Species Act of 1973, 16 U.S.C. §§ 1531 through 1534, or the Bald and Golden Eagle Protection Act, 16 U.S.C. §§ 668 through 668d. The Department or USFWS may provide information regarding where take is likely to occur. The falconer shall report the take of any federally listed threatened or endangered species or bald or golden eagle to the USFWS Arizona Ecological Services Field Office.
- R.** A licensed falconer shall comply with all of the following banding requirements:
1. A licensed falconer shall ensure the following raptors are banded after capture:
 - a. Northern Goshawk,
 - b. Harris's hawk (*Parabuteo unicinctus*), and
 - c. Peregrine falcon.
 2. The falconer shall request a band no more than five consecutive days after the capture of a raptor by contacting the Department. A Department representative or a General or Master licensed falconer may attach the USFWS leg band to the raptor.
 3. A licensed falconer shall not use a counterfeit, altered, or defaced band.
 4. A falconer holding a federal propagation permit shall ensure a raptor bred in captivity wears a seamless metal band furnished by USFWS, as prescribed under 50 CFR 21.30.
 5. A licensed falconer may remove the rear tab on a band and smooth any imperfections on the surface, provided doing so does not affect the band's integrity or numbering.
 6. A licensed falconer shall report the loss of a band to the Department no more than five business days after discovering the loss. The falconer shall reband the raptor with a new USFWS leg band furnished by the Department.
- S.** A licensed falconer may request Department authorization to implant an ISO-compliant[134.2 kHz] microchip in lieu of a band into a

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captive-bred raptor or raptor listed under subsection (R)(1) when the band is causing the raptor injury or health issues.

1. The falconer shall submit a written request and a statement from a licensed veterinarian indicating the band is causing the raptor injury or health issues.
 2. The falconer shall retain a copy of the Department's written authorization and any associated documentation for a period of five years from the date the raptor permanently leaves the falconer's possession.
 3. The falconer is responsible for the cost of implanting the microchip and any associated veterinary fees.
- T.** A licensed falconer may allow a falconry raptor to feed on any species of wildlife incidentally killed by the raptor for which there is no open season or for which the season is closed, but shall not take such wildlife into possession.
- U.** A General or Master falconer may hack a falconry raptor. Any raptor the falconer is hacking shall count towards the falconer's possession limit during hacking.
1. A falconer is prohibited from hacking a raptor near the nesting area of a federally threatened or endangered species or in any other location where the raptor is likely to disturb or harm a federally listed threatened or endangered species. The Department may provide information regarding where this is likely to occur.
 2. A licensed falconer shall ensure any hybrid raptor flown free or hacked by the falconer is equipped with at least two functioning radio transmitters.
- V.** A licensed falconer may release:
1. A wild-caught raptor permanently into the wild under the following circumstances:
 - a. The raptor is native to Arizona,
 - b. The falconer removes the raptor's falconry band prior to release, and
 - c. The falconer releases the raptor in a suitable habitat and under suitable seasonal conditions.
 2. A captive-bred raptor permanently into the wild only when the raptor is native to Arizona and the Department approves the release of the raptor. The falconer shall request permission to release the

captive-bred raptor by contacting the Department. When permitted by the Department and before releasing the captive-bred raptor, the General or Master falconer shall hack the captive-bred raptor in a suitable habitat and the appropriate season.

3. A licensed falconer is prohibited from intentionally releasing any hybrid or non-native raptor permanently into the wild.
- W.** A Master falconer may conduct and receive payment for any abatement services conducted with a falconry raptor. The falconer shall apply for and obtain all required federal permits prior to conducting any abatement activities. A General falconer may conduct abatement services only when authorized under the federal permit held by the Master falconer.
- X.** A person other than a licensed falconer may temporarily care for a falconry raptor for no more than 45 consecutive days, unless approved by the Department. The raptor under temporary care shall remain in the falconer's facility. The raptor shall continue to count towards the falconer's possession limit. An unlicensed caretaker shall not fly the raptor. The falconer may request an extension from the Department to the temporary possession period if extenuating circumstances occur. The Department shall evaluate extension requests on a case-by-case basis.
- Y.** A licensed falconer may serve as a caretaker for another licensed falconer's raptor for no more than 120 consecutive days, unless approved by the Department. The falconer shall provide the temporary caretaker with a signed and dated statement authorizing the temporary possession of each raptor. The statement shall also include the temporary possession period and activities the caretaker may conduct with the raptor. The raptor under temporary care shall not count toward the caretakers possession limit. The temporary caretaker may fly or train the raptor when permitted by the falconer in writing. The falconer may request an extension from the Department to the temporary possession period if extenuating circumstances occur. The Department shall evaluate extension requests on a case-by-case basis.
- Z.** A licensed falconer may assist a wildlife rehabilitator in conditioning a raptor in preparation for the raptor's release to the wild. The falconer may temporarily remove the raptor from the rehabilitation facilities while conditioning the raptor. The raptor shall remain under the

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rehabilitator's license and shall not count towards the falconer's possession limit. The rehabilitator shall provide the licensed falconer with a written statement authorizing the falconer to assist the rehabilitator. The written statement shall also identify the raptor by species, type of injury, and band number, when available. The licensed falconer shall return the raptor to the rehabilitator within the 180-day period established under R-12-4-423(N), unless the raptor is:

1. Released into the wild in coordination with the rehabilitator and as authorized under this subsection,
2. Allowed to remain with the rehabilitator for a longer period of time as authorized under R12-4-423(N), or
3. Transferred permanently to the falconer, provided the falconer may legally possess the raptor and the Department approves the transfer. The raptor shall count towards the falconer's possession limit.

AA. A licensed falconer may use a raptor possessed for falconry in captive propagation, when permitted by USFWS. A licensed falconer is not required to transfer a raptor from a Sport Falconry license to another license when the raptor is used for captive propagation less than eight months in a year.

BB. A General or Master licensed falconer may use a lawfully possessed raptor in a conservation education program presented in a public venue. An Apprentice falconer, under the direct supervision of a General or Master falconer, may use a lawfully possessed raptor in a conservation education program presented in a public venue. The primary use for a raptor in a conservation education program is falconry. The falconer shall ensure the focus of the conservation education program is to provide information about the biology, ecological roles, and conservation needs of raptors and other migratory birds. The falconer may charge a fee for presenting a conservation education program; however, the fee shall not exceed the amount required to recoup the falconer's costs for providing the program. As a condition of the Sport Falconry License, the licensed falconer agrees to indemnify the Department, its officers, and employees. The falconer is liable for any damages associated with the conservation education activities.

CC. A licensed falconer may allow the photography, filming, or similar uses of a falconry raptor possessed by the licensed falconer, provided:

1. The falconer is not compensated for these activities; and
2. The final product from these activities:
 - a. Promotes the practice of falconry;
 - b. Provides information about the biology, ecological roles, and conservation needs of raptors and other migratory birds;
 - c. Endorses a nonprofit falconry organization or association, products, or other endeavors related to falconry; or
 - d. Is used in scientific research or science publications.

DD. A licensed falconer may use or dispose of lawfully possessed falconry raptor feathers. A falconer shall not buy, sell, or barter falconry raptor feathers. A falconer may possess feathers for imping from each species of raptor that the falconer currently and previously possessed.

1. The licensed falconer may transfer or receive feathers for imping from:
 - a. Another licensed falconer,
 - b. A licensed wildlife rehabilitator, or
 - c. Any licensed propagator located in the U.S.
2. A licensed falconer may donate falconry raptor feathers, except bald and golden eagle feathers, to:
 - a. Any person or institution permitted to possess falconry raptor feathers,
 - b. Any person or institution exempt from the permit requirement under 50 CFR 21.12, or
 - c. A non-eagle feather repository. The Department may provide information regarding the submittal of falconry raptor feathers to a non-eagle feather repository.
3. A licensed falconer shall gather primary and secondary flight feathers or retrices that are molted or otherwise lost from a golden eagle and either retain the feathers for imping purposes or submit the feathers to the U.S. Fish and Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal, Building 128, Commerce City, Colorado 80022.
4. A falconer whose license is either revoked or expired shall dispose of all falconry raptor feathers in the falconer's possession.

EE. Arizona licensed falconers importing raptors into Arizona shall have a certificate of health issued no more than 30 consecutive days:

1. Prior to the international importation, or

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2. Prior to or after the inter-state importation.
- FF.** A licensed falconer may conduct any of the following activities with any captive-bred raptor provided the raptor is wearing a seamless band:
 1. Barter,
 2. Offer for barter,
 3. Gift,
 4. Purchase,
 5. Sell,
 6. Offer for sale, or
 7. Transfer.
- GG.** A licensed falconer is prohibited from conducting any of the following activities with any wild-caught raptor protected under the Migratory Bird Treaty Act:
 1. Barter,
 2. Offer for barter,
 3. Purchase,
 4. Sell, or
 5. Offer for sale.
- HH.** A licensed falconer may transfer:
 1. Any wild-caught falconry raptor captured in Arizona with or without a permit tag to another Arizona Sport Falconry License holder at any time.
 - a. The raptor shall count towards the take limit for that calendar year for the falconer taking the raptor from the wild.
 - b. The raptor shall not count against the take limit of the falconer receiving the raptor.
 2. Any wild-caught falconry raptor to another license or permit type under this Article or federal law, provided the raptor has been used in the sport of falconry for at least two years preceding the transfer.
 3. A wild-caught falconry sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), merlin (*Falco columbarius*), or American kestrel (*Falco sparverius*) to another license or permit type under this Article or federal law, provided the raptor has been used in the sport of falconry for at least one-year preceding the transfer.
 4. Any hybrid or captive-bred raptor to another licensed falconer or permit type under this Article or federal law at any time.
 5. Any falconry raptor that is no longer capable of being flown, as determined by a veterinarian or licensed rehabilitator, to another permit type at any time. The licensed falconer shall provide a copy of the documentation from the veterinarian or rehabilitator stating that the raptor is not useable in falconry to the Federal Migratory Bird Permits office that administers the other permit type.
- II.** A licensed falconer shall not transfer a wild-caught raptor captured in Arizona under a permit tag to a licensed falconer in another state for at least one year from the date of capture. However, a licensed falconer may transfer a wild-caught raptor captured in Arizona without a permit tag to a licensed falconer in another state at any time.
- JJ.** A surviving spouse, executor, administrator, or other legal representative of a deceased licensed falconer shall transfer any raptor held by the licensed falconer to another licensed falconer no more than 90 consecutive days after the death of the falconer. The Department shall determine the disposition of any raptor not transferred prior to the end of the 90-day period.
- KK.** A licensed falconer shall conduct the following activities, as applicable, no more than 10 business days after either the death of a falconry raptor or the final examination of a deceased raptor by a veterinarian:
 1. For a bald or golden eagle, send the entire body, including all feathers, talons, and other parts, to the National Eagle Repository;
 2. For any euthanized non-eagle raptor, to prevent secondary poisoning of other wildlife, the falconer shall either submit the carcass to a non-eagle repository or burn, bury, or otherwise destroy the carcass;
 3. For all other species:
 - a. Submit the carcass to a non-eagle repository;
 - b. Submit the carcass to the Department for submission to a non-eagle repository;
 - c. Donate the body or feathers to any person or institution exempt under 50 CFR 21.12 or authorized by USFWS to acquire and possess such parts or feathers;
 - d. Retain the carcass or feathers for imping purposes as established under subsection (DD);
 - e. Burn, bury, or otherwise destroy the carcass; or

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- f. Mount the raptor carcass. The falconer shall ensure any microchip implanted in the raptor is not removed and any band attached to the raptor remains on the mount. The falconer may use the mount for a conservation education program. The falconer shall ensure copies of the license and all relevant 3-186A forms are retained with the mount. The mount shall not count towards the falconer's possession limit.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)

Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(B)(8), 17-234, 17-235, 17-236(B), 17-238(A), 17-306, 17-307, 17-331, 17-333(A)(44), 17-371(D), and 25-320(P)

Historical Note

Adopted effective April 28, 1989 (Supp. 89-2). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended effective April 4, 1997 (Supp. 97-2). Amended by final rulemaking at 6 A.A.R. 211, effective December 14, 1999 (Supp. 99-4). Amended by final rulemaking at 18 A.A.R. 958, effective January 1, 2013.

ARTICLE 5. BOATING AND WATER SPORTS

R12-4-518. Regattas

- A. When a regatta permit is issued by the Coast Guard, the person in control of the regatta shall at all times be responsible for compliance with the stipulations as prescribed within the regatta permit. Such stipulations may include but not be limited to:
1. A specified number of patrol or committee boats and identified as such.
 2. Availability of emergency medical services.
 3. Spectator control if there exists a danger that life or property is in jeopardy.
- B. Non-compliance with any stipulation of an authorized permit which jeopardizes the public welfare shall be cause to terminate the regatta until the person in control or a person designated by the one in control

satisfactorily restores compliance.

- C. When a regatta applicant is informed in writing by the Coast Guard that a permit is not required, such regatta may take place, but shall not relieve the regatta sponsor of any responsibility for the public welfare or confer any exemption from state boating and watersports laws and rules.
- D. The regatta sponsor and all participants shall comply with aquatic invasive species requirements established under A.R.S. Title 17, Chapter 2, Article 3.1 and 12 A.A.C. 4, Article 11.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)

Specific: A.R.S. §§ 5-311(A)(5), 5-311(A)(6), 5-336(C), and 5-350(G)

Historical Note

Adopted effective March 5, 1982 (Supp. 82-2). Amended by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).

ARTICLE 7. HERITAGE GRANTS

R12-4-701 Heritage Grant Definitions

In addition to the definitions provided under A.R.S. §§ 17-101 and 17-296, the following definitions apply to this Article:

“Administrative subunit” means a branch, chapter, department, division, section, school, or other similar divisional entity of an eligible applicant. For example, an individual:

School, but not an entire school district;

Field office or project office, but not an entire agency; or

Administrative department, but not an entire city government.

“Eligible applicant” means any public agency or non-profit organization sponsored by a public agency that meets the applicable requirements of this Article and does not have a Heritage Fund Grant in extension as authorized under R12-4-707(B).

“Facilities” means any structure or site improvements.

“Fund” means the Arizona Game and Fish Commission Heritage Fund, established under A.R.S. § 17-297.

“Grant agreement” means a document that details the terms and conditions of a grant project.

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“Grant effective date” means the date the Department Director signs the Grant Agreement.

“In-kind” means contributions other than cash, which include individual and material resources that the applicant makes available to the project, e.g. a permanent public employee's salary, volunteer time, materials, supplies, space, or other donated goods and services.

“Participant” means an eligible applicant who has been awarded a grant from the Heritage Fund.

“Project” means an activity, or series of related activities, or services described in the specific project scope of work and results in specific end products.

“Project period” means the time during which a participant shall complete all approved work and related expenditures associated with an approved project.

“Public agency” means the federal government or any federal department or agency, an Indian tribe, this state, all state departments, agencies, boards, and commissions, counties, school districts, public charter schools, cities, towns, all municipal corporations, and any other political subdivision.

“Publicly held lands” means federal, public, and reserved land, State Trust Land, and other lands within Arizona that are owned, controlled, or managed by the federal government, a state agency or political subdivision.

“Sensitive elements” means the specific areas within the geographical area, historically or currently occupied by a species or community of species, which comprise those physical or biological features essential to the establishment or continued existence of the species. These 'sensitive elements' may require special management, conservation or protection considerations.

“Term of public use” means the time period during which the project or facility is expected to be maintained for public use.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(2)

Specific: A.R.S. §§ 17-231(A)(7) and 17-231(A)(8)

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-702. General Provisions

- A. An applicant shall submit to the Department a Heritage Fund Grant application according to a schedule of due dates determined by the Director. In compliance with A.R.S. § 41-2702, the Department shall:
 - 1. Provide public notice of the time, location, and due date for application submission; and
 - 2. Furnish materials necessary to complete the application.
- B. An eligible applicant, seeking Heritage Grant funding shall submit a Heritage Grant Application as established under this Article and in compliance with the Heritage Grant application materials.
- C. An applicant shall demonstrate ownership or control of the project. Ownership or control may be demonstrated through fee title, lease, easement, or agreement. For all other project types related to sites not controlled by an applicant, an applicant shall provide written permission from the property owner authorizing the project activities and access. The applicant's proof of ownership or control or written permission shall demonstrate:
 - 1. Permission for access is not revocable at will by the property owner, and
 - 2. Public access will be granted to the project site for the life of the project, unless the purpose of the project proposal is to limit access.
- D. The Department shall notify an applicant in writing of the results of the applicant's submission and announce Heritage Grant awards at a regularly scheduled open meeting of the Commission.
- E. A participant shall not begin a project described in an application until after the grant effective date.
- F. A participant shall complete the project as specified under the terms and conditions of the Grant Agreement.

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- G.** A participant shall deposit transferred Heritage Grant Funds in a dedicated non-interest bearing account carrying the name and number of the project.
- H.** A participant shall use awarded Heritage Grant Funds solely for eligible purposes of the funding program as defined by law and as approved by the Department.
- I.** A participant shall not use Heritage Grant Funds for the purpose of producing income unless authorized by the Department. A participant shall use income generated to further the purpose of the approved project or surrender the income to the original funding source.
- J.** If a balance of awarded Heritage Grant funds remain, upon completion of approved project elements, the participant may, with Department approval, use those unexpended funds for an additional project consistent with the original scope of work or surrender those unexpended funds to the Department.
- K.** A participant shall use equipment purchased with Heritage Grant funds in a manner consistent with the purposes of the Grant Agreement, and surrender the equipment to the Department upon completion of the project, if the equipment has an acquisition cost of more than \$500.
- L.** A participant shall not use Heritage Grant funds to pay the salary of any permanent public employee. A participant may use a permanent employee's time as in-kind match for the project specified in the Grant Agreement.
- M.** A participant shall allow Department employees or agents to conduct inspections and reviews:
 - 1. To ensure compliance with all terms and conditions established under the Grant Agreement.
 - 2. Before release of the final payment.
- N.** A participant shall submit records that substantiate the expenditure of Heritage Grant funds.
- O.** A participant shall bear full responsibility for performance by subcontractors to ensure compliance with the Grant Agreement.
- P.** A participant shall pay all costs associated with the operation and maintenance of properties, facilities, equipment, services, publications, and other media funded by a Heritage Grant for the term of public use as specified in the Grant Agreement.

- Q.** A participant shall give public acknowledgment of Heritage Fund grant assistance for the term of public use of a project. If a project involves acquisition of property, development of public access, or renovation of a habitat site, the participant shall install a permanent sign describing the funding sources. The participant may include the cost of this signage as part of the original project. The participant is responsible for maintenance or replacement of the sign as required. For other project types, the participant shall include Heritage Fund grant funding acknowledgment on any publicly available or accessible products resulting from the project.
- R.** An administrative subunit that failed to comply with the terms and conditions of a Grant Agreement shall not apply for, nor be considered for, further Heritage Grants until the administrative subunit's project is brought into compliance.
- S.** An administrative subunit that has a Heritage Grant funded project in extension shall not apply for, nor be considered for, further Heritage Grants until the administrative subunit's project under extension is completed.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)

Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2).

Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-703. Heritage Grant Program Funds

- A.** Environmental Education Grant. An eligible applicant shall ensure a proposed project is designed to:
 - 1. Develop awareness, appreciation, and understanding of Arizona's wildlife and its environment and increase responsible actions toward wildlife;

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2. Use Arizona wildlife as its focus and present wildlife issues in a balanced and fair manner; and
3. Benefit Arizona public schools, public charter schools, and students.
- B.** IIAPM Grant: Identification, Inventory, Acquisition, Protection, and Management of Sensitive Elements. An eligible applicant shall ensure a proposed project is designed to:
 1. Preserve and enhance Arizona's natural biological diversity; and
 2. Incorporate identification, inventory, acquisition, protection, or management of sensitive elements.
- C.** Outdoor Education Grant: An eligible applicant shall ensure a proposed project is designed to:
 1. Provide a meaningful outdoor educational experience;
 2. Develop awareness, appreciation, and stewardship of Arizona's wildlife and wildlife habitats; and
 3. Benefit Arizona public schools, public charter schools, and students.
- D.** Public Access Grant: An eligible applicant shall ensure a proposed project:
 1. Is designed to increase or maintain public access for recreational use related to wildlife;
 2. Is in cooperation with federal land managers, local and state governments, private landowners, or public users, as applicable; and
 3. Is designed to inform and educate the public about recreational use of publicly held lands and public access to those lands.
- E.** Schoolyard Habitat Grant: An eligible applicant shall ensure a proposed project is designed to:
 1. Develop awareness, appreciation, and understanding of Arizona's wildlife and its environment;
 2. Encourage wildlife educational activities on Arizona school sites or adjacent areas;
 3. Encourage native wildlife species, utilize native plant materials, and demonstrate water conservation techniques;
 4. Allow Arizona students to actively participate in the planning, development, and construction process;
 5. Be integrated into the school curriculum; and

6. Benefit Arizona public schools, public charter schools, and students.
- F.** Urban Wildlife and Urban Wildlife Habitat Grant. An eligible applicant shall ensure a proposed project:
 1. Is designed to conserve, enhance, and establish wildlife habitats and populations consistent with urban environments, and increase public awareness and support for urban wildlife resources; and
 2. Meets one of the following criteria:
 - a. Is within the incorporated limits of a city or town;
 - b. Is within five miles, in straight distance, of the boundary of an incorporated area; or
 - c. Is an area that receives significant impact from residential development, as determined by the Department.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)

Specific: A.R.S. §§ 17-297 and 17-298

R12-4-704. Grant Application

- A.** To be considered for a Heritage Grant, an eligible applicant shall submit a grant application as established under this Article and in compliance with the Heritage Grant Application materials.
- B.** An applicant who is applying for multiple projects shall submit a separate application for each project.
- C.** An applicant shall provide the following information on the Heritage Grant application form:
 1. The name of the applicant;
 2. Any county and legislative district where the project will be developed or upon which the project will have a direct impact;
 3. The name, title, mailing address, e-mail address, and telephone number of the individual responsible for the day-to-day management of the proposed project;
 4. Identification of the specific Heritage Grant program fund;
 5. A descriptive project title;
 6. The name of the site, primary location, and any other locations of the project;

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7. Description of the:
 - a. Scope of work and the objective of the proposed project,
 - b. Methods for achieving the objective, and
 - c. Desired result of the project;
 8. The beginning and ending dates for the project;
 9. The resources needed to accomplish the project, including grant monies requested, and, if applicable, evidence of secured matching funds or contributions;
 10. If the eligible applicant is a non-profit organization exempt from federal income taxation under Section 501(c) of the Internal Revenue Code, documentation or other evidence of the exemption; and
 11. Any additional supporting information required by the Department.
- D.** The person signing the grant application form shall have the authority to enter into agreements, accept funding, and fulfill the terms of the Grant Agreement on behalf of the applicant.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2).
Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-705. Review of Proposals

- A.** Heritage Grant proposals are competitive and the Department shall make awards based on a proposed project's compatibility with the priorities of the Department, as approved by the Commission.
- B.** The Department may require an applicant to modify the application prior to awarding a Heritage Grant, if the Department determines that the modification is necessary for the successful completion of the project.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2).
Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-706. State Historic Preservation Office Review

When applicable, the Department shall not release Heritage Grant Funds until after the Department has consulted with the State Historic Preservation Office regarding the proposed project's potential impact on historic and archeological properties and resources.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-707. Grant Agreement

- A.** Before the Department transfers any grant funds, the applicant shall sign the Grant Agreement.
- B.** A participant may request an extension beyond the approved project period by writing to the Department. Requests for an extension shall be submitted by the participant no later than 30 days before the end of the project period. If approved, an extension shall be signed by both the participant and the Department.

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- C. Notwithstanding subsection (B), the Department may extend the project period for good cause such as, but not limited to, inclement weather or internal personnel changes.
- D. The Department and the participant may amend the Grant Agreement during the project period. A participant seeking to amend the Grant Agreement shall submit a written request that includes justification to amend the Grant Agreement. The Department shall prepare any approved amendment in writing and both the Department and the participant shall sign the amendment.
- E. If a participant is in default of the Grant Agreement, the Department may:
 - 1. Terminate the Grant Agreement,
 - 2. Seek recovery of grant monies awarded, and
 - 3. Classify the participant as ineligible for Heritage Fund Grants for a period of up to five years.
- F. The Department, at its sole discretion, has the authority to include additional conditions in the Grant Agreement prior to signing the Agreement and through Amendment.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)

Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2).

Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-708. Reporting and Recordkeeping Requirements

- A. A participant shall submit project status reports to the Department Grant Agreement. The project status report shall include the following information, as applicable:
 - 1. Progress in completing approved work;
 - 2. Itemized, cumulative project expenditures;
 - 3. A financial accounting of:

- a. Heritage Grant Funds,
 - b. Matching funds,
 - c. Donations, and
 - d. Income derived from project funds;
- 4. Any delays or problems that may prevent the on-time completion of the project; and
- 5. Any other information required by the Department.
- B. At the end of the project period and for each year until the end of the term of public use, a participant shall:
 - 1. Certify compliance with the Grant Agreement, and
 - 2. Complete a post-completion report form furnished by the Department.
- C. A participant shall submit project status reports, as required in the grant materials. If a participant fails to submit a project status report, the Department may not release any remaining grant monies until the participant has submitted all past due project status reports.
- D. Each participant shall retain and shall contractually require each subcontractor to retain all books, accounts, reports, files, and any other records relating to the acquisition and performance of the contract for a period of five years from the end date of the project period. The Department may inspect and audit participant and subcontractor records as prescribed under A.R.S. § 35-214. Upon the Department's request, a participant or subcontractor shall produce a legible copy of these records.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)

Specific: A.R.S. §§ 17-297, 17-298, 17-298.01, and 35-214

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2).

Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

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ARTICLE 8. WILDLIFE AREAS AND DEPARTMENT PROPERTY

R12-4-801. General Provisions

- A.** Wildlife areas shall be established to:
1. Provide protective measures for wildlife, habitat, or both;
 2. Allow for special management or research practices; and
 3. Enhance wildlife and habitat conservation.
- B.** Wildlife areas shall be:
1. Lands owned or leased by the Commission and managed by the Department;
 2. Federally-owned lands of unique wildlife habitat where cooperative agreements provide wildlife management and research implementation; or
 3. Any lands with property interest conveyed to the Commission by any entity, through approved land use agreement, including but not limited to deeds, patents, leases, conservation easements, special use permits, licenses, agreement, management agreement, inter-agency agreements, letter agreements, and right-of-entry, where said property interest is sufficient for management of the lands consistent with the objectives of the wildlife area.
- D.** Land qualified for wildlife areas shall be:
1. Lands with unique topographic or vegetative characteristics that contribute to wildlife,
 2. Lands where certain wildlife species are confined because of habitat demands,
 3. Lands that can be physically managed and modified to attract wildlife, or
 4. Lands that are identified as critical habitat for certain wildlife species during critical periods of their life cycles.
- E.** The Department may restrict public access to and public use of wildlife areas and the resources of wildlife areas for up to 90 days when necessary to protect property, ensure public safety, or to ensure maximum benefits to wildlife. Closures or restrictions exceeding 90 days shall require Commission approval.
- F.** Closures of all or any part of a wildlife area to public entry, and any restriction to public use of a wildlife area, shall be listed in this Article or shall be clearly posted at each entrance to the wildlife area. No

person shall conduct an activity restricted by this Article or by such posting.

- G.** When a wildlife area is posted against travel except on existing roads, no person shall drive a motor-operated vehicle over the countryside except by road.
- H.** The Department may take action to manage the access and use of any Commission real property or facilities. Such actions may include restrictions for the timing, type, or duration of certain activities, including the prohibition of access or type of use.
- I.** No person shall access or use any Commission real property or facilities in violation of any Department actions authorized under subsection (H), if signs are posted providing notice of the restrictions.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§17-231(B)(2) and 41-1005(A)

Historical Note

New Section adopted by exempt rulemaking at 6 A.A.R. 1731, effective May 1, 2000 (Supp. 00-2). Amended by exempt rulemaking at 17 A.A.R. 800, effective June 20, 2011 (Supp. 11-2). Amended by exempt rulemaking at 18 A.A.R. 1070, effective June 15, 2012

R12-4-802. Wildlife Area and Other Department Managed Property Restrictions

- A.** No person shall violate the following restrictions on Wildlife Areas:
1. Alamo Wildlife Area (located in Units 16A and 44A):
 - a. Wood collecting limited to dead and down material, for onsite noncommercial use only.
 - b. Overnight public camping in the wildlife area outside of Alamo State Park allowed for no more than 14 days within a 45-day period.
 - c. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - d. Open to all hunting as permitted under R12-4-304 and R12-4-318.

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2. Allen Severson Wildlife Area (located in Unit 3B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Posted portions closed to discharge of all firearms from April 1 to July 31 annually.
 - e. Open to all hunting as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from April 1 through July 31 annually.
3. Aravaipa Canyon Wildlife Area (located in Units 31 and 32):
 - a. Access to Aravaipa Canyon Wilderness Area is by permit only, available through the Safford Office of the Bureau of Land Management.
 - b. Closed to discharge of all firearms.
 - c. Open to all hunting as permitted under R12-4-304 and R12-4-318.
4. Arlington Wildlife Area (located in Unit 39):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Target or clay bird shooting permitted in designated areas only.
 - f. Closed to discharge of rifled firearms.
 - g. Open to all hunting as permitted under R12-4-304 and R12-4-318.
5. Base and Meridan Wildlife Area (located in Units 39, 26M, and 47M):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - e. Closed to discharge of rifled firearms.
 - f. No target or clay bird shooting.
 - g. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
6. Becker Lake Wildlife Area (located in Unit 1):
 - a. No open fires.
 - b. No overnight public camping.
 - c. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - d. The Becker Lake boat launch access road and parking areas along with any other posted portions of the wildlife area will be closed to all public entry from one hour after sunset to one hour before sunrise daily.
 - e. Posted portions closed to public entry from December through July 31 annually.
 - f. Posted portions closed to hunting.
 - g. Closed to the discharge of centerfire and rimfire rifled firearms.
 - h. Open to all other hunting in season as permitted under R12-4-304 and R12-4-318.
7. Bog Hole Wildlife Area (located in Unit 35B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
8. Chevelon Canyon Ranches Wildlife Area (located in Unit 4A):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.

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9. Chevelon Creek Wildlife Area (located in Unit 4B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Posted portions closed to all public entry.
 - f. Additional posted portions closed to public entry from October 1 to February 1 annually.
 - g. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from October 1 through February 1 annually.
10. Cibola Valley Conservation and Wildlife Area (located in unit 43A):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated and administrative roads only for the purpose of retrieving lawfully taken big game animals. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to public entry.
11. Clarence May and C.H.M. May Memorial Wildlife Area (located in Unit 29):
 - a. Closed to discharge of all firearms.
 - b. Closed to hunting.
12. Cluff Ranch Wildlife Area (located in Unit 31):
 - a. Open fires allowed in designated areas only.
 - b. Wood collecting limited to dead and down material, for onsite noncommercial use only.
 - c. Overnight public camping allowed in designated areas only, for no more than five days within a 14-day period.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only.
13. Colorado River Nature Center Wildlife Area (located in Unit 15D):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel prohibited except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Closed to hunting.
14. Fool Hollow Lake Wildlife Area (located in Unit 3C):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. The parking area adjacent to Sixteenth Avenue and other posted portions of the wildlife area will be closed to all public entry daily from one hour after sunset to one hour before sunrise, except for anglers possessing a valid fishing license accessing Fool Hollow Lake/Show Low Creek.
 - f. Open to hunting in season as permitted under R12-4-304 and R12-4-318.
15. House Rock Wildlife Area (located in Unit 12A):
 - a. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.

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16. Jacques Marsh Wildlife Area (located in Unit 3B):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Closed to the discharge of centerfire and rimfire rifled firearms.
 - e. Open to all other hunting in season as permitted under R12-4-304 and R12-4-318.
17. Lamar Haines Wildlife Area (located in Unit 7):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. No motorized vehicles. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
18. Luna Lake Wildlife Area (located in Unit 1):
 - a. Posted portions closed to public entry from February 15 to July 31 annually.
 - b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except when closed to hunting from April 1 through July 31 annually.
19. Mittry Lake Wildlife Area (located in Unit 43B):
 - a. Open fires allowed in designated areas only.
 - b. Overnight public camping allowed in designated areas only, for no more than 10 days per calendar year.
 - c. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - d. Posted portions closed to public entry from November 15 to February 15 annually.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from November 15 through February 15 annually.
20. Powers Butte (Mumme Farm) Wildlife Area (located in Unit 39):
 - a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on posted designated roads, trails, or areas only.
 - e. Closed to discharge of centerfire rifled firearms.
 - f. If conducted during an event approved under R12-4-804, target or clay bird shooting in permitted designated areas only.
 - g. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
21. Quigley Wildlife Area (located in Unit 41):
 - a. No open fires.
 - b. No overnight public camping.
 - c. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - d. Posted portions closed to public entry from September 1 to March 31 annually.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from September 1 through March 31 annually.
22. Raymond Wildlife Area (located in Unit 5B):
 - a. Overnight public camping permitted in designated sites only, for no more than 14 consecutive days.
 - b. Motorized vehicle travel permitted on designated roads, trails, or areas only, except as permitted under R12-4-110(G). All-terrain and utility type vehicles are prohibited. For the purpose of this subsection, all-terrain and utility type vehicle means a motor vehicle having three or more wheels fitted with large tires and is designed chiefly for recreational use over roadless, rugged terrain. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - c. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
 - d. Members of the public are prohibited from being within 1/4 mile of the Raymond Ranch buffalo herd, except when hunting as authorized under subsection (A)(22)(c) or accompanied by Department personnel.
23. Robbins Butte Wildlife Area (located in Unit 39):

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- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only from one hour before sunrise to one hour after sunset daily.
 - e. Parking in designated areas only.
 - f. If conducted during an event approved under R12-4-804, target or clay bird shooting permitted in designated areas only.
 - g. Posted portions around Department housing closed to discharge of all firearms.
 - h. Closed to discharge of centerfire rifled firearms.
 - i. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
24. Roosevelt Lake Wildlife Area (located in Units 22, 23, and 24B):
- a. Posted portions closed to public entry from November 15 through February 15 annually.
 - b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from November 15 through February 15 annually.
25. Santa Rita Wildlife Area (located in Unit 34A):
- a. Motorized vehicle travel permitted on designated roads as permitted under R12-5-533(D).
 - b. Open to all hunting as permitted under R12-4-304 and R12-4-318, except that the take of wildlife with firearms is prohibited from March 1 through August 31.
 - c. All other uses of state land will be according to the provisions of the Arizona State Land Department's Recreational Permit.
26. Sipe White Mountain Wildlife Area (located in Unit 1):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Posted portions around Department housing closed to discharge of all firearms.
- f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
27. Springerville Marsh Wildlife Area (located in Unit 2B):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Closed to discharge of all firearms.
 - e. Closed to hunting.
28. Sunflower Flat Wildlife Area (located in Unit 8):
- a. No open fires.
 - b. No overnight public camping.
 - c. No motorized vehicle travel. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - d. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
29. Three Bar Wildlife Area (located in Unit 22): Open to hunting in season, except the area within the fenced enclosure inside the loop formed by Tonto National Forest Road 647, also known as the Walnut Canyon Enclosure, which is closed to hunting, unless otherwise provided under Commission Order.
30. Tucson Mountain Wildlife Area (located in Unit 38M):
- a. Closed to the discharge of all firearms.
 - b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except those portions posted as closed.
 - c. Archery deer and archery javelina hunters must check in with the Arizona Game and Fish Tucson Regional Office prior to going afield.
31. Upper Verde River Wildlife Area (located in Unit 8 and 19A):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. Overnight public camping allowed in designated areas only.
 - d. Motorized vehicle travel prohibited except for Department authorized vehicles or law enforcement, fire department, or other emergency vehicles.
 - e. Closed to discharge of firearms within a one mile radius of

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- visitor parking area.
- f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
 - g. All dogs must remain on leash except for hunting dogs during a legal open season.
32. Wenima Wildlife Area (located in Unit 2B):
- a. No open fires.
 - b. No firewood cutting or gathering.
 - c. No overnight public camping.
 - d. Motorized vehicle travel permitted on designated roads only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - e. Posted portions closed to discharge of all firearms.
 - f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
33. White Mountain Grasslands Wildlife Area (located in Unit 1):
- a. No open fires.
 - b. No overnight public camping.
 - c. Motorized vehicle travel permitted on designated roads only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
 - d. Posted portions closed to public entry.
 - e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
34. Whitewater Draw Wildlife Area (located in Unit 30B):
- a. Open fires allowed in designated areas only.
 - b. Overnight public camping allowed in designated areas only, for no more than three days within a seven-day period.
 - c. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - d. Posted portions closed to public entry from October 15 through March 15 annually.
 - e. Closed to discharge of centerfire rifled firearms.
 - f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from

October 15 through March 15 annually.

35. Willcox Playa Wildlife Area (located in Unit 30A):
- a. Open fires allowed in designated areas only.
 - b. No firewood cutting or gathering.
 - c. Overnight public camping allowed in designated areas only, for no more than five days within a 14-day period.
 - d. Motorized vehicle travel permitted on designated roads, trails, or areas only.
 - e. Posted portions closed to public entry from October 15 through March 15 annually.
 - f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from October 15 through March 15 annually.
- B.** Notwithstanding Commission Order 40, public access and use of the Hirsch Conservation Education Area and Biscuit Tank is limited to activities conducted and offered by the Department and in accordance with the Department's special management objectives for the property, which include, but are not limited to, flexible harvest, season, and methods that:
- 1. Allow for a variety of fishing techniques, fish harvest, fish consumption, and catch and release educational experiences;
 - 2. Maintain healthy, productive, and balanced fish grouping; and
 - 3. Provide public education activities and training courses that are compatible with the management of aquatic wildlife.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§17-231(B)(2) and 41-1005(A)

Historical Note

New Section adopted by exempt rulemaking at 6 A.A.R. 1731, effective May 1, 2000 (Supp. 00-2). Amended by exempt rulemaking at 8 A.A.R. 2107, effective May 1, 2002 (Supp. 02-2). Amended by exempt rulemaking at 9 A.A.R. 3141, effective August 23, 2003 (Supp. 03-2). Amended by exempt rulemaking at 10 A.A.R. 1976, effective May 14, 2004 (Supp. 04-2). Amended by exempt rulemaking at 11

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A.A.R. 1927, effective May 20, 2005 (Supp. 05-2). Amended by exempt rulemaking at 12 A.A.R. 1698, effective May 19, 2006 (Supp. 06-2). Amended by exempt rulemaking at 13 A.A.R. 1741, effective May 18, 2007 (Supp. 07-2). Amended by exempt rulemaking at 14 A.A.R. 1841, effective April 22, 2008 (Supp. 08-2). Amended by exempt rulemaking at 16 A.A.R. 397, effective March 5, 2010 (Supp. 10-1). Amended by exempt rulemaking at 17 A.A.R. 800, effective June 20, 2011 (Supp. 11-2). Amended by exempt rulemaking at 18 A.A.R. 1070, effective June 15, 2012.

**R12-4-803. Wildlife Area and Other Department Managed Property
Boundary Descriptions**

A. Wildlife Areas are described as follows:

1. Alamo Wildlife Area: The Alamo Wildlife Area shall be those areas described as:
T10N, R13W
Section 1, W1/2NW1/4, NW1/4SW1/4;
Section 2 and Section 3;
Section 4, E1/2SW1/4, SE1/4;
Section 9, NE1/4, E1/2NW1/4;
Section 10, N1/2NW1/4, NW1/4NE1/4.
T11N, R11W
Section 7, S1/2SW1/4;
Section 18, N1/2 NW1/4.
T11N, R12W
Section 4, Lots 2, 3 and 4, SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2SE1/4;
Section 5, Lot 1, SE1/4NE1/4, E1/2SE1/4;
Section 7, S1/2, SE1/4 NE1/4;
Section 8, NE1/4, S1/2NW1/4, S1/2;
Section 9;
Section 10, S1/2NW1/4, S1/2;
Section 11, S1/2S1/2;
Section 12, S1/2S1/2;
Section 13, N1/2, N1/2SW1/4, NW1/4SE1/4;
Section 14, N1/2, E1/2SE1/4;
Section 15, N1/2, SW1/4SW1/4, SW1/4SE1/4;

Section 16, 17, 18 and 19;
Section 20, N1/2, N1/2SW1/4;
Section 21, NW1/4;
Section 29, SW1/4, SW1/4SE1/4;
Section 30;
Section 31, N1/2, N1/2S1/2;
Section 32, NW1/4, N1/2SW1/4.
T11N, R13W
Section 12, SE1/4SW1/4, SW1/4SE1/4, E1/2SE1/4;
Section 13;
Section 14, S1/2NE1/4, SE1/4SW1/4, SE1/4;
Section 22, S1/2SW1/4, SE1/4;
Section 23, E1/2, E1/2NW1/4, SW1/4NW1/4, SW1/4;
Section 24, 25 and 26;
Section 27, E1/2, E1/2W1/2;
Section 34, E1/2, E1/2NW1/4, SW1/4;
Sections 35 and 36.
T12N, R12W
Section 19, E1/2, SE1/4SW1/4;
Section 20, NW1/4NW1/4, SW1/4SW1/4;
Section 28, W1/2SW1/4;
Section 29, W1/2NW1/4, S1/2, SE1/4NW1/4;
Section 30, E1/2, E1/2NW1/4, NE1/4SW1/4;
Section 31, NE1/4NE1/4;
Section 32, N1/2, N1/2SE1/4, SE1/4SE1/4;
Section 33, W1/2E1/2, W1/2.

All in G&SRB&M, Mohave and La Paz Counties, Arizona.

2. Allen Severson Memorial Wildlife Area: The Allen Severson Memorial Wildlife Area shall be that area including Pintail Lake and South Marsh lying within the fenced and posted portions of:
T11N, R22E
Section 32, SE1/4;
Section 33, S1/2SW1/4.
T10N, R22E
Section 4, N1/2NW1/4.
T10N, R22E
Section 4: the posted portion of the NW1/4SW1/4.

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All in G&SRB&M, Navajo County, Arizona, consisting of approximately 300 acres.

3. Aravaipa Canyon Wildlife Area: The Aravaipa Canyon Wildlife Area shall be that area within the flood plain of Aravaipa Creek and the first 50 vertical feet above the streambed within the boundaries of the Aravaipa Canyon Wilderness Area administered by the Bureau of Land Management, Graham and Pinal Counties, Arizona.
4. Arlington Wildlife Area: The Arlington Wildlife Area shall be those areas described as:
T1S, R5W
Section 33, E½SE¼.
T2S, R5W
Section 3, W½W½;
Section 4, E½, and Parcel 401-58-001A as described by the Maricopa County Assessor's Office;
Section 9;
Section 15, those portions of S½N½ and NW½SW¼ lying west of the primary through road;
Section 16;
Section 21, E½, E½SW¼, SE¼NW¼ and Parcel 401-61-008D as described by the Maricopa County Assessor's Office.
All in G&SRB&M, Maricopa County, Arizona.
5. Base and Meridian Wildlife Area: The Base and Meridian Wildlife Area shall be those areas described as:
T1N, R1E
Section 31, Lots 3, 5, 6, and 8, and NE1/4SW1/4.
T1N, R1W
Section 34, N1/2SE1/4;
Section 35, S1/2;
Section 36, S1/2N1/2SE1/4.
All in the G&SRB&M, Maricopa County, Arizona.
6. Becker Lake Wildlife Area: The Becker Lake Wildlife Area shall be that area including Becker Lake lying within the fenced and posted portions of:
T9N, R29E
Section 19, SE1/4SW1/4;

Section 20, SW1/4SW1/4, W1/2NW1/4, and NW1/4SW1/4;

Section 29, E1/2NE1/4;

Section 30, NE1/4SE1/4;

Section 32, as it is described in parcels in this Section.

All in the G&SRB&M, Apache County, Arizona, consisting of approximately 325 acres.

Parcel 1. Parcel 1 is located in section 30, T9N, R29E, G&SRB&M, Apache County, Arizona, and is adjacent to the western boundary of the Becker Lake Wildlife Area. The preliminary ALTA survey for the Enders property indicates that Parcel 1 is approximately 83 acres in size. Parcel 1 is also bounded by lands owned by The Hopi Tribe (26 Bar Ranch) and Arizona State Trust lands. The property is composed of Plains and Great Basin grassland habitat, and has historically been used for livestock grazing. This parcel is described by Apache County Assessor's Office parcel number 105-16-002.

Parcel 2. This parcel is located in the northeast quarter of section 32 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 2 is approximately 61 acres in size. Parcel 2 includes the southernmost portion of the subject property. The Becker Lake Ditch and a short reach of the Little Colorado River are located within Parcel 2. Parcel 2 is bounded by Parcel 3 to the west and Parcel 4 to the north. Privately owned lands are located to the east and south of Parcel 2. This parcel is described by Apache County Assessor's Office parcel number 105-18-008A.

Parcel 3. This parcel is located in the northwest quarter of section 32 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 3 is approximately 17 acres in size. The Becker Lake Ditch also is located within Parcel 3. Parcel 3 is bounded by Parcel 2 to the east, and Parcel 5 to the north. The Becker Lake Road comprises approximately half of the western boundary of Parcel 3, with a two-acre residential property located between Becker Lake Road and Becker Ditch owned by Mr. Jack Husted comprising the remainder of the western

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boundary of Parcel 3. Parcel 3 is described by Apache County Assessor's Office parcel number 105-18-012B.

Parcel 4. Parcel 4 is located in the southern half of section 29 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 4 is approximately 56 acres in size. Both the Becker Lake Ditch and an approximately 3/4 mile reach of the LCR are located within Parcel 4. Parcel 4 is bounded by Parcel 2 to the south and Parcel 5 as well as privately owned lands to the west. Private lands are also located to the north and east of Parcel 4. Highway 60 constitutes the northeast boundary of this irregularly shaped parcel. This parcel is described by Apache County Assessor's Office parcel number 105-15-014E.

Parcel 5. Parcel 5 is located in the southern half of the southwest quarter of section 29 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 5 is approximately 79 acres in size. The Becker Lake Ditch is also located within Parcel 5. Parcel 5 is bounded by Parcel 4 to the east and Parcel 3 to the south. The Becker Lake Wildlife Area bounds the western half of the northern boundary of this parcel. Privately owned lands are also located to the north of Parcel 5. The Springerville Airport as well as State Trust lands are located to the south of Parcel 5. Hopi Tribal Land (26 Bar Ranch) abuts the entire western boundary of this parcel. The Becker Lake Road and Becker Ditch bisect Parcel 5. This parcel is described by Apache County Assessor's Office parcel number 105-15-014F.

7. Bog Hole Wildlife Area: The Bog Hole Wildlife Area lying in Sections 29, 32 and 33, T22S, R17E shall be the fenced and posted area described as follows: Beginning at the southeast corner of Section 32, Township 22 South, Range 17 East, G&SRB&M, Santa Cruz County, Arizona; thence North 21°42'20" West 1394.86 feet to the true point of beginning; thence North 9°15'26" West 1014.82 feet; thence North 14°30'58" West 1088.82 feet; thence North 36°12'57" West 20.93 feet; thence North 50°16'38"

West 1341.30 feet; thence North 57°51'08" West 1320.68 feet; thence N39°03'53" East 1044.90 feet; thence North 39°07'43" East 1232.32 feet; thence South 36°38'48" East 1322.93 feet; thence South 43°03'17" East 1312.11 feet; thence South 38°19'38" East 1315.69 feet; thence South 13°11'59" West 2083.31 feet; thence South 69°42'45" West 920.49 feet to the true point of beginning.

8. Chevelon Canyon Ranches Wildlife Area: The Chevelon Canyon Ranches Wildlife Area shall be those areas described as:

Duran Ranch: T12N, R14E

Sections 6 and 7, more particularly bounded and described as follows: Beginning at Corner No. 1, from which the Standard Corner to Section 31 in T13N, R14E and Section 36 T13N, R13E, bears North 11°41' West 21.53 chains distant; thence South 26°5' East 6.80 chains to Corner No. 2; thence South 66° West 12.74 chains to Corner No. 3; thence South 19°16' West 13.72 chains to Corner No. 4; thence South 29°1' West 50.02 chains to Corner No. 5; thence North 64°15' West five chains to Corner No. 6; thence North 28°54' East 67.97 chains to Corner No. 7; thence North 55°36' East 11.02 to Corner No. 1; the place of beginning, all in G&SRB&M, Coconino County, Arizona.

Dye Ranch: T12N, R14E

Sections 9 and 16, more particularly described as follows: Beginning at Corner No. 1 from which the Standard corner to Sections 32 and 33 in T13N, R14E, bears North 2° 24' East 127.19 chains distant; thence South 50°20' East 4.96 chains to corner No. 2; thence South 29°48' West 21.97 chains to Corner No. 3; thence South 14°45' West 21.00 chains to Corner No. 4; thence North 76°23' West 3.49 chains to Corner No. 5; thence North 10°13' West 14.02 chains to Corner No. 6; thence North 19°41' East 8.92 chains to Corner No. 7; thence North 38°2' East 24.79 chains to Corner No. 1, the place of beginning, all in G&SRB&M, Coconino County, Arizona.

Tillman Ranch: T12N, R14E

Land included in H.E. Survey No. 200 embracing a portion of approximately Sections 9 and 10 in T12N R14E of the Gila and Salt River Base and Meridian.

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Vincent Ranch: T12N, R13E

Sections 3 and 4, more particularly described as follows: Begin at corner No. 1, from which the South 1/4 corner to Sec. 33, T13N, R13E, bears North 40°53' West 16.94 chains distance; thence South 53° 08' East 2.98 chains to corner No. 2; thence South 11°26' West 6.19 chains to corner No. 3; thence South 49°43' West 22.41 chains to corner No. 4; thence South 22°45' West 30.03 chains to corner No. 5; thence North 67°35' West 6.00 chains to corner No. 6; thence North 23° East 30.03 chains to corner No. 7; thence North 42°18' East 21.19 chains to corner No. 8; thence North 57°52' East 8.40 chains to corner No. 1, the place of beginning, all in G&SRB&M, Coconino County, Arizona.

Wolf Ranch: T12N, R14E

Sections 18 and 19, more particularly bounded and described as follows: Beginning at Corner No. 1, from which the U.S. Location Monument No. 184 H. E. S. bears South 88°53' East 4.41 chains distant; thence South 34°4' East 11.19 chains to Corner No. 2; thence South 40°31' West 31.7 chains to Corner No. 3; thence South 63°3' West 7.97 chains to Corner No. 4; thence South 23°15' West 10.69 chains to Corner No. 5; thence North 59° West 2.60 chains to Corner No. 6; thence North 18°45' East 10.80 chains to Corner No. 7; thence North 51°26' East 8.95 chains to Corner No. 8; thence North 30°19' East 34.37 chains to Corner No. 1; the place of beginning, all in G&SRB&M, Coconino County, Arizona.

9. Chevelon Creek Wildlife Area: The Chevelon Creek Wildlife Area shall be those areas described as:

Parcel 1: The South half of the South half of the Northwest quarter and the Southwest quarter of Section 23, Township 18 North, Range 17 East of the Gila and Salt River Base and Meridian;

Parcel 2: Lots 1, 2, 3 and 4 of Section 26, Township 18 North, Range 17 East of the Gila and Salt River Base and Meridian;

Parcel 1: That portion of the Northeast Quarter of Section 26 lying Northerly of Chevelon Creek Estates East Side No. 1 Amended, according to the plat of record in Book 5 of Plats,

page 35, records of Navajo County, Arizona, all in Township 18 North, Range 17 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona.

Parcel 2: That part of Tract A, CHEVELON CREEK ESTATES EAST SIDE NO. 1 AMENDED, according to the plat of record in Book 5 of Plats, page 35, records of Navajo County, Arizona lying Northerly of the following described line: BEGINNING at the Southwest corner of Lot 3 of said subdivision; thence Southwesterly in a straight line to the Southwest corner of Lot 6 of said subdivision.

10. Cibola Valley Conservation and Wildlife Area: The Cibola Valley Conservation and Wildlife Area shall be those areas described as:

Parcel 1. This parcel is located in the Northwest quarter of Section 36, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying East of the right of way line of the "Cibola Channelization Project of the United States Bureau of Reclamation Colorado River Front Work and Levee System," as indicated on Bureau of Reclamation Drawing 423-300-438, dated March 31, 1964, and more particularly described as follows: beginning at the Northeast corner of the Northwest quarter of said Section 36; thence South and along the East line of the Northwest quarter of said Section 36, a distance of 2,646.00 feet to a point being the Southeast corner of the Northwest quarter of said Section 36; thence Westerly and along the South line of the Northwest quarter, a distance of 1,711.87 feet to a point of intersection with the East line of the aforementioned right of way; thence Northerly and along said East line of the aforementioned right of way, a distance of 2,657.20 feet along a curve concave Easterly, having a radius of 9,260.00 feet to a point of intersection with the North line of the Northwest quarter of said Section 36; thence Easterly and along the North line of the Northwest quarter of said Section 36, a distance of 1,919.74 feet to the point of beginning.

Parcel 2. This parcel is located in the United States Government Survey of Lot 1 and the East half of the Southwest quarter of Section 36, T1N, R24W of the Gila and Salt River Base and

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Meridian, La Paz County, Arizona, lying East of the right of way line of the "Cibola Channelization Project of the United States Bureau of Reclamation Colorado River Front Work and Levee System," as indicated on Bureau of Reclamation Drawing 423-300-438, dated March 31, 1964, and more particularly described as follows: Beginning at the South quarter corner of said Section 36; thence Westerly and along the South line of said Section 36, a distance of 610.44 feet to a point of intersection with the East line of the aforementioned right of way; thence Northerly along said East line of the of the aforementioned right of way and along a curve concave Southwesterly, having a radius of 17,350.00 feet, a distance of 125.12 feet to a point; thence continuing along said right of way line and along a reverse curve having a radius of 9,260.00 feet, a distance of 2,697.10 feet to a point of intersection with the East-West midsection line of said Section 36; thence Easterly along said East-West midsection line, a distance of 1,711.87 feet to a point being the center of said Section 36; thence South and along the North-South midsection line, a distance of 2,640.00 feet to the point of beginning.

Parcel 3. This parcel is located in the East half of the Northeast quarter of Section 36, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

Parcel 4. This parcel is located in the East half of the Northwest quarter of the Southwest quarter of Section 21, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the South right of way line of U.S.A. Levee; EXCEPT therefrom that portion lying within Cibola Sportsman's Park, according to the plat thereof recorded in Book 4 of Plats, Page 58, records of Yuma (now La Paz) County, Arizona; and FURTHER EXCEPTING the North half of the East half of the Northwest quarter of the Southwest quarter.

Parcel 5. This parcel is located in the South half of the Southwest quarter of Section 21, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona. EXCEPT the West 33.00 feet thereof; and further EXCEPTING that portion

more particularly described as follows: the North half of the Northwest quarter of the Southwest quarter of the Southwest quarter of said Section, EXCEPTING the North 33.00 feet and the East 33.00 feet thereof.

Parcel 6. This parcel is located in the Southwest quarter of the Southeast quarter of Section 21, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

Parcel 7. This parcel is located in Sections 24 and 25, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River and East of Meander line per BLM Plat 2647C.

Parcel 8. This parcel is located in the West half of Section 19, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River. EXCEPT that portion in condemnation suit Civil No. 5188PHX filed in District Court of Arizona entitled USA -vs- 527.93 Acres of Land; and EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 9. This parcel is located in the North half of the Northeast quarter of the Southeast quarter; and the West half of the Southwest quarter of the Northeast quarter of the Southeast quarter; and that portion of the Southeast quarter of the Northeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the South right of way line of the U.S.B.R. Levee; EXCEPT the East 33.00 feet thereof; and further EXCEPTING that portion more particularly described as follows: Commencing at the Northeast corner of the Southeast quarter of said Section 20; thence South 0°24'00" East along the East line, a distance of 380.27 feet; thence South 89°36'00" West, a distance of 50.00 feet to the true point of beginning; thence continuing South 89°36'00" West, a distance of 193.00 feet; thence North 0°24'00" West, a distance of 261.25 feet; thence South 70°11'00" East, a

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distance of 205.67 feet to the West line of the East 50.00 feet of said Southeast quarter of Section 20; thence South 0°24'00" East, a distance of 190.18 feet to the true point of beginning; EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 10. This parcel is located in the South half of the Southeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona; EXCEPT the East 33.00 feet thereof.

Parcel 11. This parcel is located in the Southwest quarter of the Northeast quarter; and the Northwest quarter of the Southeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River and West of the Meander line per BLM Plat 2546B; EXCEPT any portion thereof lying within U.S.A. Lots 5 and 6 of said Section 20, as set forth on BLM Plat 2546B; and EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 12. This parcel is located in the Southeast quarter of the Northeast quarter of the Southeast quarter; and the East half of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

Parcel 13. This parcel is located in the East half of Section 19, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River; EXCEPT the West half of the West half of the Southeast quarter of the Southwest quarter of the Southeast quarter; EXCEPT the East half of the East half of the Southwest quarter of the Southwest quarter of the Southeast quarter; EXCEPT the Southwest quarter of the Southwest quarter of the Northeast quarter; EXCEPT the West half of the Southeast

quarter of the Southwest quarter of the Northeast quarter; and EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 14. This parcel is located in the Southwest quarter of the Southwest quarter of the Northeast quarter; and the West half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 19, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River and protection levees and front work, EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 15. This parcel is located in the West half of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona; EXCEPT the West 133.00 feet thereof; EXCEPT any portion lying within the U.S. Levee or Channel right of way or any portion claimed by the United States for Levee purposes or related works; and EXCEPT the Southeast quarter of the Southeast quarter of the Southwest quarter of said Section 20.

Parcel 16. This parcel is located in the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

11. Clarence May and C.M.H. May Memorial Wildlife Area: Clarence May and C.M.H. May Memorial Wildlife Area shall be the SE1/4 of Section 8 and N1/2NE1/4 of Section 17, Township 17 South, Range 31 East, and the W1/2SE1/4, S1/2NW1/4, SW1/4 of Section 9, T17S, R31E, G&SRB&M, Cochise County, Arizona, consisting of approximately 560 acres.

12. Cluff Ranch Wildlife Area: The Cluff Ranch Wildlife Area is that area within the fenced and posted portions of Sections 13, 14, 23, 24, and 26, T7S, R24E, G&SRB&M, Graham County, Arizona; consisting of approximately 788 acres.

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13. Colorado River Nature Center Wildlife Area: The Colorado River Nature Center Wildlife Area is Section 10 of T19N, R22W, that is bordered by the Fort Mojave Indian Reservation to the West, the Colorado River to the North, and residential areas of Bullhead City to the South and East, G&SRB&M, Mohave County, Arizona.
14. Fool Hollow Lake Wildlife Area: The Fool Hollow Lake Wildlife Area shall be that area lying in those portions of the South half of Section 7 and of the North half of the North half of Section 18, T10N, R22E, G&SRB&M, described as follows: Beginning at a point on the west line of the said Section 7, a distance of 990 feet South of the West quarter corner thereof; running thence South 86 degrees 12 minutes East 2533.9 feet; thence South 41 degrees 02 minutes East 634.7 feet; thence East 800 feet; thence south 837.5 feet, more or less to the South line of the said Section 7; thence south 89 degrees 53 minutes West along the South line of Section 7 a distance of 660 feet; thence South 0 degrees 07 minutes East 164.3 feet; thence North 89 degrees 32 minutes West 804.2 feet; thence North 20 degrees 46 minutes West 670 feet; thence South 88 degrees 12 minutes West 400 feet; thence North 68 degrees 04 minutes West 692 feet; thence South 2 degrees 50 minutes West 581 feet; thence North 89 degrees 32 minutes West 400 feet; thence North 12 degrees 40 minutes West 370.1 feet, more or less, the North line of the Southwest quarter of the Southwest quarter of the Southwest quarter of said Section 7; thence West 483.2 feet, more or less, along said line to the West line of Section 7; thence North to the point of beginning.
15. House Rock Wildlife Area: House Rock Wildlife Area is that area described as: Beginning at the common one-quarter corner of Sections 17 and 20, T36N, R4E; thence east along the south section lines of Sections 17, 16, 15, 14, 13 T36N, R4E, and Section 18, T36N, R5E, to the intersection with the top of the southerly escarpment of Bedrock Canyon; thence meandering southeasterly along the top of said escarpment to the top of the northerly escarpment of Fence Canyon; thence meandering along the top of said north escarpment to its intersection with the top of the southerly escarpment of Fence Canyon; thence meandering northeasterly along the top of said southerly escarpment to its intersection with the top of the escarpment of the Colorado River; thence meandering southerly along top of said Colorado River escarpment to its intersection with Boundary Ridge in Section 29, T34N, R5E; thence meandering westerly along Boundary Ridge to its intersection with the top of the escarpment at the head of Saddle Canyon; thence northerly along the top of the westerly escarpment to its intersection with a line beginning approximately at the intersection of the Cockscomb and the east fork of South Canyon extending southeast to a point approximately midway between Buck Farm Canyon and Saddle Canyon; thence northwest to the bottom of the east fork of South Canyon in the SW1/4SW1/4 of Section 16, T34N, R4E; thence meandering northerly along the west side of the Cockscomb to the bottom of North Canyon in the SE1/4 of Section 12, T35N, R3E; thence meandering northeasterly along the bottom of North Canyon to a point where the slope of the land becomes nearly flat; thence northerly along the westerly edge of House Rock Valley to the point of beginning; all in G&SRB&M, Coconino County, Arizona.
16. Jacques Marsh Wildlife Area: The Jacques Marsh Wildlife Area is that area within the fenced and posted portions of the SE1/4SW1/4, NE1/4SW1/4, NE1/4SW1/4SW1/4, NW1/4SW1/4, N1/2NW1/4SE1/4, SW1/4SW1/4NE1/4, S1/2SE1/4NW1/4, SE1/4SE1/4NW1/4, Section 11; and N1/2NE1/4NW1/4 Section 14; T9N, R22E, G&SRB&M, Navajo County, Arizona.
17. Lamar Haines Wildlife Area: The Lamar Haines Wildlife Area is that area described as: T22N, R6E, Section 12 NW1/4, G&SRB&M, Coconino County, Arizona; together with all improvements thereon, and that certain water right on "Hudsonian Spring" as evidenced by certificate of Water Right from the State Water Commissioner of the State of Arizona, dated December 13, 1935 and recorded in Book 5 of Water Rights, pages 374-375, records of Coconino County, Arizona, and being Certificate #624.
18. Luna Lake Wildlife Area: The Luna Lake Wildlife Area shall be the fenced, buoyed, and posted area lying north of U.S. Highway 180 T5N, R31E, Section 17 N1/2, G&SRB&M, Apache County, Arizona.
19. Mittry Lake Wildlife Area: The Mittry Lake Wildlife Area shall be

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those areas described as:

T6S, R21W

Section 31: All of Lots 1, 2, 3, 4, E1/2W1/2, and that portion of E1/2 lying westerly of Gila Gravity Main Canal Right-of-Way.

T7S, R21W

Section 5: that portion of SW1/4SW1/4 lying westerly of Gila Gravity Main Canal Right-of-Way;

Section 6: all of Lots 2, 3, 4, 5, 6, 7 and that portion of Lot 1, S1/2NE1/4, SE1/4 lying westerly of Gila Gravity Main Canal R/W;

Section 7: all of Lots 1, 2, 3, 4, E1/2W1/2, S1/2E1/2, and that portion of E1/2E1/2 lying westerly of Gila Gravity Main Canal R/W;

Section 8: that portion of W1/2W1/2 lying westerly of Gila Gravity Main Canal R/W;

Section 18: all of Lots 1, 2, 3, E1/2NW1/4, and that portion of Lot 4, NE1/4, E1/2 SW1/4, NW1/4SE1/4 lying westerly of Gila Gravity Main Canal R/W.

T6S, R22W

Section 36: all of Lots 1, 2.

T7S, R22W

Section 1: all of Lot 1;

Section 12: all of Lots 1, 2, SE1/4SE1/4;

Section 13: all of Lots 1, 2, 3, 4, 5, 6, 7, 8, NE1/4, N1/2SE1/4, and that portion of S1/2SE1/4 lying northerly of Gila Gravity Main Canal R/W, all in G&SRB&M, Yuma County, Arizona.

20. Powers Butte (Mumme Farm) Wildlife Area: The Powers Butte Wildlife Area shall be that area described as:

T1S, R5W

Section 25, N1/2SW1/4, SW1/4SW1/4;

Section 26, S1/2;

Section 27, E1/2SE1/4;

Section 34.

T2S, R5W

Section 3, E1/2W1/2, W1/2SE1/4, NE1/4SE1/4, NE1/4;

Section 10, NW1/4, NW1/4NE1/4;

Section 15, SE1/4SW1/4;

Section 22, E1/2NW1/4, NW1/4NW1/4.

All in G&SRB&M, Maricopa County, Arizona.

21. Quigley Wildlife Area: The Quigley Wildlife Area shall be those areas described as:

T8S, R17W

Section 13, W1/2SE1/4, SW1/4NE1/4, and a portion of land in the West half of Section 13, more particularly described as follows: Beginning at the South Quarter corner, thence South 89°17'09" West along the south line of said Section 13, a distance of 2627.50 feet to the southwest corner of said Section 13; thence North 41°49'46" East, a distance of 3026.74 feet to a point; thence North 0°13'30" West, a distance of 1730.00 feet to a point on the north 1/16th line of said Section 13; thence North 89°17'36" East along said north 1/16th line, a distance of 600.00 feet to the Center of said Section 13; thence South 0°13'30" E. along the north-south mid-section line, a distance of 3959.99 feet to the point of beginning.

Section 23, SE1/4NE1/4, and a portion of land in the NE1/4NE1/4 of Section 23, more particularly described as follows: Beginning at the Northeast Corner, thence South 0°10'19" East along the east line of said Section 23, a distance of 1326.74 feet to a point on the south line of the NE1/4NE1/4 of said Section 23; thence South 89°29'58" West along said south line, a distance of 1309.64 feet to a point; thence North 44°17'39" East, a distance of 1869.58 feet to the point of beginning.

Section 24, NW1/4, N1/2SW1/4, W1/2NE1/4 all in G&SRB&M, Yuma County, Arizona.

22. Raymond Ranch Wildlife Area: The Raymond Ranch Wildlife Area is that area described as: All of Sections 24, 25, 26, 34, 35, 36, and the portions of Sections 27, 28, and 33 lying east of the following described line: Beginning at the west one-quarter corner of Section 33; thence northeasterly through the one-quarter corner common to Sections 28 and 33, one-quarter corner common to Sections 27 and 28 to the north one-quarter corner of Section 27 all in T19N, R11E. All of Sections 15, 16, 17, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34 all in T19N, R12E, all in G&SRB&M,

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23. Robbins Butte Wildlife Area: The Robbins Butte Wildlife Area shall be those areas described as:

T1S, R3W

Section 17, S1/2NE1/4, SE1/4, NW1/4SW1/4;

Section 18, Lots 3, 4, and E1/2SW1/4, S1/2NE1/4, W1/2SE1/4, NE1/4SE1/4.

T1S, R4W

Section 13, all EXCEPT that portion of W1/2SW1/4SW1/4 lying west of State Route 85;

Section 14, all EXCEPT the W1/2NW1/4 and that portion of the SW1/4 lying north of the Arlington Canal;

Section 19, S1/2SE1/4;

Section 20, S1/2S1/2, NE1/4SE1/4;

Section 21, S1/2, S1/2NE1/4, SE1/4NW1/4;

Section 22, all EXCEPT for NW1/4NW1/4;

Section 23;

Section 24, that portion of SW1/4, W1/2SW1/4NW1/4 lying west of State Route 85;

Section 25, that portion of the NW1/4NW1/4 lying west of State Route 85;

Section 26, NW1/4, W1/2NE1/4, NE1/4NE1/4;

Section 27, N1/2, SW1/4;

Section 28;

Section 29, N1/2N1/2, SE1/4NE1/4;

Section 30, Lots 1,2, and E1/2NW1/4, NE1/4, SE1/4SE1/4.

All in G&SRB&M, Maricopa County, Arizona.

24. Roosevelt Lake Wildlife Area: The Roosevelt Lake Wildlife Area is that area described as: Beginning at the junction of A-Cross Road and AZ. Hwy. 188; south on AZ. Hwy. 188 to junction of AZ. Hwy. 88; east on AZ. Hwy. 88 to Carson's Landing; northeast across Roosevelt Lake to the south tip of Bass Point; directly north to the Long Gulch Road; northeast on this road to the A-Cross Road; northwest on the A-Cross Road to the point of beginning; all in G&SRB&M, Gila County, Arizona.

25. Santa Rita Wildlife Area: The Santa Rita Experimental Range is that area described as: Concurrent with the Santa Rita

Experimental Range boundary and includes the posted portion of the following sections: Sections 33 through 36, T17S, R14E, Section 25, Section 35 and Section 36, T18S, R13E, Sections 1 through 4, Sections 9 through 16, and Sections 21 through 36, T18S, R14E, Sections 3 through 9, Sections 16 through 21, Sections 26 through 34, T18S, R15E, Sections 1 through 6, Sections 9 through 16, Section 23, T19S, R14E, Sections 3 through 10, Sections 16 through 18, T19S, R15E; all in G&SRB&M, Pima County, Arizona, and all being coincidental with the Santa Rita Experimental Range Area.

26. Sipe White Mountain Wildlife Area: The Sipe White Mountain Wildlife Area shall be those areas described as:

T7N, R29E

Section 1, SE1/4, SE1/4NE1/4, S1/2NE1/4NE1/4, SE1/4SW1/4NE1/4, NE1/4SE1/4SW1/4, and the SE1/4NE1/4SW1/4.

T7N, R30E

Section 5, W1/2W1/2SE1/4SW1/4, and the SW1/4SW1/4;

Section 6, Lots 1, 2, 3, 7 and 8, SW1/4NW1/4NW1/4, SW1/4NW1/4, S1/2NW1/4NE1/4SE1/4, S1/2NE1/4SE1/4, S1/2NE1/4SE1/4, N1/2SE1/4SE1/4, E1/2SE1/4SE1/4SE1/4, SW1/4SE1/4 and the SE1/4SW1/4;

Section 7, Parcel 10: Lots 1 and 2, E1/2NW1/4, E1/2E1/2NE1/4NE1/4, W1/2SW1/4NE1/4, NW1/4SE1/4, W1/2NE1/4SE1/4, NE1/4SW1/4, E1/2NW1/4SW1/4, and the NW1/4NE1/4;

Section 8, NW1/4NW1/4, and the W1/2W1/2NE1/4NW1/4.

T8N, R30E

Section 31, SE1/4NE1/4, SE1/4, and the SE1/4SW1/4, all in G&SRB&M, Apache County, Arizona.

27. Springerville Marsh Wildlife Area: The Springerville Marsh Wildlife Area shall be those areas described as: S1/2 SE1/4 Section 27 and N1/2 NE1/4 Section 34, T9N, R29E, G&SRB&M, Apache County, Arizona.

28. Sunflower Flat Wildlife Area: The Sunflower Flat Wildlife Area shall be those areas described as:

T20N, R3E

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Section 11, NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4,
NE1/4SE1/4SE1/4, W1/2SE1/4NE1/4,
S1/2SE1/4SE1/4NE1/4, E1/2SW1/4NE1/4;

Section 12, NW1/4SW1/4SW1/4, NW1/4NE1/4SW1/4SW1/4,
SW1/4NW1/4SW1/4, S1/2NW1/4NW1/4SW1/4,
W1/2SE1/4NW1/4SW1/4, SW1/4NE1/4NW1/4 SW1/4 all in
the G&SRB&M, Coconino County, Arizona.

29. Three Bar Wildlife Area: The Three Bar Wildlife Area shall be that area lying within the following described boundary: Beginning at Roosevelt Dam, northwesterly on AZ. Hwy. 188 to milepost 252 (Bumble Bee Wash); westerly along the boundary fence for approximately 7 1/2 miles to the boundary of Gila and Maricopa counties; southerly along this boundary through Four Peaks to a fence line south of Buckhorn Mountain; southerly along the barbed wire drift fence at Ash Creek to Apache Lake; northeasterly along Apache Lake to Roosevelt Dam.
30. Tucson Mountain Wildlife Area: The Tucson Mountain Wildlife Area shall be that area lying within the following described boundary: Beginning at the northwest corner of Section 33; T13S, R11E on the Saguaro National Monument boundary; due south approximately one mile to the El Paso Natural Gas Pipeline; southeast along this pipeline to Sandario Road; south on Sandario Road approximately two miles to the southwest corner of Section 15; T14S, R11E, east along the section line to the El Paso Natural Gas Pipeline; southeast along this pipeline to its junction with State Route 86, also known as the Ajo Highway; easterly along this highway to the Tucson city limits; north along the city limits to Silverbell Road; northwest along this road to Twin Peaks Road; west along this road to Sandario Road; south along this road to the Saguaro National Monument boundary; west and south along the monument boundary to the point of beginning, all in G&SRB&M, Pima County, Arizona.
31. Upper Verde River Wildlife Area: The Upper Verde River Wildlife Area consists of four parcels totaling 1089 acres located eight miles north of Chino Valley in Yavapai County, Arizona, along the upper Verde River and lower Granite Creek described as:
- a. Sullivan Lake: Located immediately downstream of Sullivan

Lake, the headwaters of the Verde River: the NE1/4NE1/4 lying east of the California, Arizona, and Santa Fe Railway Company right-of-way in Section 15, T17N, R2W; and also the NW1/4NE1/4 of Sec. 15 consisting of approximately 80 acres.

- b. Granite Creek Parcel: Includes one mile of Granite Creek to its confluence with the Verde River: The SE1/4SE1/4 of Section 11; the NW1/4SW1/4 and SW1/4NW1/4 of Section 13; the E1/2NE1/4 of Section 14; all in T17N, R1W consisting of approximately 239 acres. E1/2SW1/4SW1/4, SE1/4SW1/4, NE1/4SW1/4 and NW1/4SE1/4 of Section 12, NW1/4NW1/4 of Section 13, T17N, R2W consisting of approximately 182.26 acres.
- c. Campbell Place Parcel: Tracts 40 and 41 in Section 7, T17N, R1W and Section 7, T17N, R1W and Section 12, T17N, R2W consisting of 315 acres. All that portion of Government Lots 9 and 10 of Section 7, T17N, R1W consisting of approximately 70.87 acres.
- d. Tract 39 Parcel: The east half of Tract 39 within the Prescott National Forest boundary, SE1/2SW1/4 and SW1/4SE1/4 of Section 5, T18N, R1W; and the W1/2 of Tract 39 outside the Forest boundary, SW1/4SW1/4 of Section 5 and NW1/4NW1/4 of Section 8, T18N, R1W consisting of approximately 163 acres. Lot 3 and SW1/4NW1/4 of Section 8, T17N, R1W consisting of approximately 40.238 acres.
32. Wenima Wildlife Area: The Wenima Wildlife Area shall be those areas described as:
- T9N, R29E
- Section 5, SE1/4 SW1/4, and SW1/4 SE1/4 EXCEPT E1/2 E1/2 SW1/4 SE1/4
- Section 8, NE1/4 NW1/4, and NW1/4 NE1/4
- Sections 8, 17 and 18, within the following boundary: From the quarter corner of Sections 17 and 18, the true point of beginning; thence North 00°12'56" East 1302.64 feet along the Section line between Sections 17 and 18 to the North 1/16 corner; then North 89°24'24" West 1331.22 feet to the Northeast 1/16 corner of Section 18; thence North 00°18'02"

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East 1310.57 feet to the East 1/16 corner of Sections 7 and 18; thence South 89°03'51" East 1329.25 feet to the Northeast Section corner of said Section 18; thence North 01°49'10" East 1520.28 feet to a point on the Section line between Sections 7 and 8; thence North 38°21'18" East 370.87 feet to a point; thence North 22°04'51" East 590.96 feet to a point; thence North 57°24'55" East 468.86 feet to a point on the East West mid-section line of said Section 8; thence North 89°38'03" East 525.43 feet along said mid-section line to the center West 1/16 corner; thence South 02°01'25" West 55.04 feet to a point; thence South 87°27'17" East 231.65 feet to a point; thence South 70°21'28" East 81.59 feet to a point; thence North 89°28'36" East 111.27 feet to a point; thence North 37°32'54" East 310.00 feet to a point; thence North 43°58'37" West 550.00 feet to a point; thence North 27°25'53" West 416.98 feet to the North South 1/16 line of said Section 8; thence North 02°01'25" East 380.04 feet along said 1/16 line to the Northwest 1/16 corner of said Section 8; thence North 89°45'28" East 1315.07 feet along the East West mid-sixteenth line to a point; thence South 45°14'41" East 67.69 feet to a point; thence South 49°28'18" East 1099.72 feet to a point; thence South 08°04'43" West 810.00 feet to a point; thence South 58°54'47" West 341.78 feet to a point; thence South 50°14'53" West 680.93 feet to a point in the center of that cul-de-sac at the end of Jeremy's Point Road; thence North 80°02'20" West 724.76 feet to a point, said point lying North 42°15'10" West 220.12 feet from the Northwest corner of Lot 72; thence North 34°19'23" East 80.64 feet to a point; thence North 15°54'25" East 51.54 feet to a point; thence North 29°09'53" East 45.37 feet to a point; thence North 40°09'33" East 69.21 feet to a point; thence North 25°48'58" East 43.28 feet to a point; thence North 13°24'51" East 63.12 feet to a point; thence North 16°03'10" West 30.98 feet to a point; thence North 57°55'25" West 35.50 feet to a point; thence North 80°47'38" West 48.08 feet to a point; thence South 87°28'53" West 82.84 feet to a point; thence South 72°07'06" West 131.85 feet to a point; thence South 43°32'45" West

118.71 feet to a point; thence South 02°37'48" East 59.34 feet to a point; thence South 33°03'29" East 57.28 feet to a point; thence South 28°30'29" East 54.75 feet to a point; thence South 36°39'47" East 105.08 feet to a point; thence South 24°55'07" West 394.78 feet to a point; thence South 61°32'16" West 642.77 feet to the Northwest corner of Lot 23; thence North 04°35'23" West 90.62 feet to a point; thence South 85°24'37" West 26.00 feet to a point; thence North 64°21'36" West 120.76 feet to a point; thence South 61°07'57" West 44.52 feet to a point; thence South 39°55'58" West 80.59 feet to a point; thence South 11°33'07" West 47.21 feet to a point; thence South 19°53'19" East 27.06 feet to a point; thence South 54°26'36" East 62.82 feet to a point; thence South 24°56'25" West 23.92 feet to a point; thence South 48°10'38" West 542.79 feet to a point; thence South 17°13'48" West 427.83 feet to the Northwest corner of Lot 130; thence South 29°10'58" West 104.45 feet to the Southwest corner of Lot 130; thence Southwesterly along a curve having a radius of 931.52 feet, and arc length of 417.52 feet to the Southwest corner of Lot 134; thence South 15°04'25" West 91.10 feet to a point; thence South 04°29'15" West 109.17 feet to a point; thence South 01°41'24" West 60.45 feet to a point, thence South 29°16'05" West 187.12 feet to a point; thence South 14°44'00" West 252.94 feet to a point; thence South 15°42'24" East 290.09 feet to a point; thence South 89°13'25" East 162.59 feet to a point; thence South 37°19'54" East 123.03 feet to the Southeast corner of Lot 169; thence South 20°36'30" East 706.78 feet to the Northwest corner of Lot 189; thence South 04°07'31" West 147.32 feet to a point; thence South 29°11'19" East 445.64 feet to a point; thence South 00°31'40" East 169.24 feet to the East West mid-section line of Section 17 and the Southwest corner of Lot 194; thence South 89°28'20" West 891.84 feet along said East West mid-section line to the true point of beginning. All in G&SRB&M, Apache County, Arizona.

33. White Mountain Grasslands Wildlife Area: The White Mountain Grasslands Wildlife Area shall be those areas described as:

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Parcel No. 1: (CL1)

The South half of Section 24; the North half of the Northwest quarter of Section 25; the Northeast quarter and the North half of the Southeast quarter of Section 26; all in Township 9 North, Range 27 East of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No. 2: (CL2)

The Southeast quarter and the Southeast quarter of the Southwest quarter of Section 31, Township 9 North, Range 28 East of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No. 3: (CL3)

The Northwest quarter of the Southwest quarter of Section 28; and the Southwest quarter, the South half of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 29, Township 9 North, Range 28 East of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No. 4: (CL4)

The Southwest quarter of the Southwest quarter of Section 5; the Southeast quarter of the Southeast quarter of Section 6; the Northeast quarter of the Northeast quarter of Section 7; the Northwest quarter of the Northwest quarter, the East half of the Southwest quarter of the Northwest quarter, the West half of the Northeast quarter, the Southeast quarter of the Northwest quarter, and that portion of the South half which lies North of Highway 260, EXCEPT the West half of the Southwest quarter of Section 8; All in Township 8 North, Range 28 East of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No. 1: (O1)

The South half of the North half of Section 10, Township 8 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT that Parcel of land lying within the South one-half of the Northeast quarter of Section 10, Township 8 North, Range 28 East, of the Gila and Salt

River Base and Meridian, Apache County, Arizona, more particularly described as follows:

From the North 1/16 corner of Sections 10 and 11, monumented with a 5/8 inch rebar with a cap marked LS 13014, said point being the TRUE POINT OF BEGINNING; thence North 89°44'54" West 1874.70 feet along the East-West 1/16 line to a point monumented with a half-inch rebar with a tag marked LS 13014; thence South 02°26'17" West 932.00 feet to a point monumented with a half-inch rebar with a tag marked LS 13014; thence South 89°44'54" East 1873.69 feet to a point monumented with a half-inch rebar with a tag marked LS 13014, said point being on the East line of Section 10; thence North 02°30'00" East 932.00 feet along said Section line to the TRUE POINT OF BEGINNING.

Parcel No.2: (O2)

The North half of the South half of Section 10, Township 8 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No.3: (O3)

The Southeast quarter of Section 25, Township 9 North, Range 27 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No.4: (O4)

Lots 3 and 4; the East half of the Southwest quarter; the West half of the Southeast quarter; and the Northeast quarter of the Southeast quarter of Section 30, Township 9 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No.5: (O5)

Lots 1, 2 and 3; the South half of the Northeast quarter; the Northwest quarter of the Northeast quarter; the East half of the Northwest quarter; and the Northeast quarter of the Southwest quarter of Section 31, Township 9 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to

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the United States in the Patent of said land.

Parcel No.6: (O6)

Beginning at the Northwest corner of the Southeast quarter of Section 27, Township 9 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; thence East 1320.00 feet; thence South 925.00 feet; thence West 320.00 feet to the center of a stock watering tub; thence North 83° West 1000.00 feet; thence North 740.00 feet to the point of beginning; EXCEPT all gas, oil, metals and mineral rights as reserved to the State of Arizona in the Patent to said land.

34. White Water Draw Wildlife Area: The White Water Draw Wildlife Area shall be those areas described as:

T21S, R26E

Section 19, S1/2 SE1/4

Section 29, W1/2 NE1/4, and E1/2 NE1/4

Section 30, N1/2 NE1/4

Section 32

T22S, R26E

Section 4, Lots 3 and 4

T22S, R26E

Section 5, Lots 1 to 4, EXCEPT an undivided 1/2 interest in all minerals, oil, and/or gas as reserved in Deed recorded in Docket 209, page 117, records of Cochise County, Arizona.

35. Willcox Playa Wildlife Area: The Willcox Playa Wildlife Area shall be that area within the posted Arizona Game and Fish Department fences enclosing the following described area: Beginning at the section corner common to Sections 2, 3, 10 and 11, T15S, R25E, G&SRB&M, Cochise County, Arizona; thence, South 0°15'57" West 2645.53 feet to the east 1/4 corner of Section 10; thence South 89°47'15" West 2578.59 feet to the center 1/4 corner of Section 10; thence, North 1°45'24" East 2647.85 feet to the center 1/4 corner of Section 3; thence, North 1°02'42" West 2647.58 feet to the center 1/4 corner of said Section 3; thence North 89°41'37" East to the common 1/4 corner of Section 2 and Section 3; thence, South 0°00'03" West 1323.68 feet to the south 1/16 corner of said Sections 2 and 3; thence South 44°46'30" East

1867.80 feet to a point on the common section line of Section 2 and Section 11; thence South 44°41'13" East 1862.94 feet to a point; thence South 44°42'35" East 1863.13 feet to a point; thence North 0°13'23" East 1322.06 feet to a point; thence South 89°54'40" East 1276.24 Feet to a point on the west right-of-way fence line of Kansas Settlement Road; thence South 0°12'32" West 2643.71 feet along said fence line to a point; thence North 89°55'43" West 2591.30 feet to a point; thence North 0°14'14" East 661.13 feet to a point; thence North 89D°55'27" West 658.20 feet to a point; thence North 0°14'39" East 1322.36 feet to a point; thence North 44°41'19" West 931.44 feet to a point; thence North 44°40'31" West 1862.85 feet to the point of beginning. Said wildlife area contains 543.10 acres approximately.

- B. Department Controlled Properties are described as follows:

Hirsch Conservation Education Area and Biscuit Tank: The Hirsch Conservation Education Area and Biscuit Tank shall be that area lying in Section 3 T5N R2E. Beginning at the North East corner of Section 3, T5N, R2E, G&SRB&M, Maricopa County, Arizona; thence South 35d33'23.43" West 2938.12 feet; to the point of true beginning; thence South 81d31'35.45" West 147.25 feet; thence South 45d46'21.90" West 552.25 feet; thence South 21d28'21.59" West 56.77 feet; thence South 16d19'49.19" East 384.44 feet; thence South 5d27'54.02" West 73.43 feet; thence South 89d50'44.45" East 431.99 feet; thence North 4d53'57.68" West 81.99 feet; thence North 46d49'53.27" West 47.22 feet; thence North 43d3'3.68" East 83.74 feet; thence South 47d30'40.79" East 47.71 feet; thence North 76d2'59.67" East 105.91 feet; thence North 15d45'0.24" West 95.87 feet; thence North 68d48'27.79" East 69.79 feet; thence North 8d31'53.39" West 69.79 feet; thence North 30d5'32.34" East 39.8 feet; thence North 46d17'32.32" East 63.77 feet; thence North 22d17'26.17" West 517.05 feet to the point of true beginning.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-231(B)(2) and 41-1005(A)

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Historical Note

New Section adopted by exempt rulemaking at 6 A.A.R. 1731, effective May 1, 2000 (Supp. 00-2). Amended by exempt rulemaking at 9 A.A.R. 3141, effective August 23, 2003 (Supp. 03-2). Amended by exempt rulemaking at 11 A.A.R. 1927, effective May 20, 2005 (Supp. 05-2). Amended by exempt rulemaking at 16 A.A.R. 397, effective March 5, 2010 (Supp. 10-1). Amended by exempt rulemaking at 17 A.A.R. 800, effective June 20, 2011 (Supp. 11-2). Amended by exempt rulemaking at 18 A.A.R. 1070, effective June 15, 2012.

ARTICLE 9. ARIZONA WILDLIFE CONSERVATION FUND GRANTS

R12-4-901. Definitions

In addition to the definitions provided under A.R.S. §§ 17-101 and 41-2701, the following definitions apply to this Article, unless otherwise specified:

“Administrative subunit” means a branch, chapter, department, division, section, school, or other similar divisional entity of an eligible applicant. For example, an individual:

School, but not an entire school district;

Field office or project office, but not an entire agency; or

Administrative department, but not an entire city government.

“Eligible applicant” means any state agency, political subdivision, Indian tribe, or non-profit organization that has met the applicable requirements of this Article and does not have an Arizona Wildlife Conservation Fund Grant in extension as authorized under R12-4-905(B).

“Facilities” means any structure or site improvements.

“Fund” means the Arizona Wildlife Conservation Fund, established under A.R.S. § 17-299.

“Grant Agreement” means the document that details the terms and conditions of a grant project that are binding on the participant and the Commission.

“Grant effective date” means the date the Department Director signs the Grant Agreement.

“Participant” means an eligible applicant who has been awarded a grant from the Arizona Wildlife Conservation Fund Grant.

“Project” means an activity, series of related activities, or services described in the scope of work and result in a specific end product.

“Project period” means the time during which a participant shall complete all approved work and related expenditures associated with an approved project.

“Representative” means an individual who is authorized to represent an eligible applicant or an administrative subunit and is responsible for administering a project.

“Term of public use” means the time period during which the project or facility is expected to be maintained for public use.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-902. General Provisions

- A. An applicant shall submit to the Department an Arizona Wildlife Conservation Fund grant application according to a schedule of due dates determined by the Director as prescribed under A.R.S. Title 41, Chapter 24, Article 1. In compliance with A.R.S. § 41-2702, the Department shall:
 1. Provide public notice of the time, location, and due date for application submission; and
 2. Furnish materials necessary to complete the application.
- B. An eligible applicant may apply for a grant from the Arizona Wildlife Conservation Fund as prescribed under A.R.S. § 17-299 and this Article.

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- C. The Department shall notify an applicant in writing of the results of the applicant's submission and announce Arizona Wildlife Conservation Fund Grant awards at a regularly scheduled open meeting of the Commission.
- D. The Department shall distribute awarded Arizona Wildlife Conservation Fund Grant funds at its sole discretion, dependent on the proposed project scope of work. The Department may perform inspections and reviews before releasing final payment.
- E. A participant shall not begin a project described in an application until after the grant effective date.
- F. A participant shall complete the project as specified under the terms and conditions of the Grant Agreement.
- G. An applicant shall demonstrate ownership or control of the project. Ownership or control may be demonstrated through fee title, lease, easement, or agreement. For all other project types related to sites not controlled by an applicant, an applicant shall provide written permission from the property owner authorizing the project activities and access. To be eligible for an Arizona Wildlife Conservation Fund Grant, the applicant's ownership or control or written permission shall demonstrate:
 - 1. Permission for access is not revocable at will by the property owner, and
 - 2. Public access will be granted to the project site for the life of the project, unless the purpose of the project proposal is to limit access.
- H. A non-profit participant shall provide public access to any land that is wholly or partly purchased with grant monies, unless specified otherwise.
- I. A participant shall deposit transferred Arizona Wildlife Conservation Fund Grant funds in a separate non-interest bearing account, carrying the name and number of the project.
- J. A participant shall use awarded Arizona Wildlife Conservation Fund grant monies solely for the purposes defined under A.R.S. § 17-299, as approved by the Department. The participant shall not exceed the grant allocation unless both parties agree to amend the Grant Agreement.
- K. If applicable, a participant shall operate and maintain grant-assisted project facility improvements, provide reasonable protection of any project improvements, and ensure that public access is maintained as specified in the Grant Agreement.
- L. A participant shall pay all costs associated with the operation and maintenance of properties, facilities, equipment, ~~and~~ services, publications and other media funded by a grant for the term of the public use as specified in the Grant Agreement.
- M. A participant shall give public acknowledgment of Arizona Wildlife Conservation Fund grant assistance for the term of public use. If a project involves acquisition of property or improvements, development of public access, or renovation of a habitat site, the participant shall install a permanent sign describing the funding sources. The participant may include the cost of the signage as part of the project. The participant is responsible for maintenance or replacement of the sign as required. For other project types, ~~a~~ the participant shall include Arizona Wildlife Conservation Fund grant funding acknowledgement on any publicly available or accessible products resulting from the project.
- N. A participant shall not use grant monies to replace monies already budgeted for the project
- O. A participant shall ensure that real property purchased with grant assistance is appraised by a state certified appraiser within six months before the acquisition, in accordance with the Uniform Standards of Professional Appraisal Practice. The Department has the authority to select an appraiser for an independent evaluation if the Department determines the participant's appraised value of the real property is not accurate.
- P. If a balance of awarded Arizona Wildlife Conservation Grant funds remain upon completion of approved project elements, the participant may, with Department approval, use those unexpended funds for an additional project consistent with the original scope of work, or surrender those unexpended funds to the Department.
- Q. A participant shall use equipment purchased with Arizona Wildlife Conservation Grant funds in a manner consistent with the purposes of the Grant Agreement and surrender the equipment to the Department upon completion of the project if the equipment has an acquisition cost of more than \$500.

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- R.** A participant is responsible for ensuring compliance with all applicable local, state and federal laws before the release of Arizona Wildlife Conservation Grant Funds and during project implementation.
- S.** In accordance with A.R.S. Title 41, Chapter 24, an unsuccessful applicant may submit an appeal.
- T.** A participant shall bear full responsibility for compliance by subcontractors of the terms and conditions of the Grant Agreement.
- U.** The Department may inspect or audit participant and subcontractor records. Upon the Department's request, a participant or subcontractor shall produce a legible copy of these records. The participant is responsible for the acceptable performance of a subcontractor under each subcontract.
- V.** A participant who fails to comply with the terms or conditions of a Grant Agreement is not eligible to apply for other grants until the applicant's project is brought into compliance.
- W.** If a representative has a grant-funded project that has been extended under R12-4-905, an administrative subunit that employs the representative is not eligible to apply for other grants until the project is completed.
- X.** When applicable, the Department shall comply with A.R.S. Title 41, Chapter 4.2 and the applicant shall provide evidence to the Department that the applicant has satisfied all the necessary requirements of these statutes established under this rule, including the proposed project's potential impact on historical and archaeological properties and resources.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6),
and 17-299

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective
April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19
A.A.R. 768, effective June 1, 2013.

R12-4-903. Grant Application

- A.** To be considered for an Arizona Wildlife Conservation Fund grant, an eligible applicant shall submit a grant application as established under this Article and in compliance with the Arizona Wildlife Conservation Fund Grant application materials.
- B.** An applicant shall provide the following information on the Arizona Wildlife Conservation Fund grant application form:
 - 1. The name of the applicant;
 - 2. The name, title, mailing address, e-mail address, and telephone number of the applicant's representative or individual responsible for the day-to-day management of the proposed project;
 - 3. Any county and legislative district where the project will be developed or upon which the project will have a direct impact;
 - 4. A descriptive project title;
 - 5. The name of the site, primary location, and any other locations of the project;
 - 6. Description of the:
 - a. Scope of work and the objective of the proposed project;
 - b. Methods for achieving the objective; and
 - c. Desired result of the project;
 - 7. The beginning and ending dates for the project;
 - 8. The resources that will be needed to accomplish the project, including the grant monies requested, and if applicable, evidence of secured matching funds or contributions; and
 - 9. Any additional supporting information that may be required by the Department.
- C.** If the applicant is a non-profit organization exempt from federal income taxation under Section 501(c) of the Internal Revenue Code, the applicant shall also submit documentation or other evidence of its exemption.
- D.** Upon request, an applicant or the applicant's representative shall provide documentation to the Department of the representative's authority to sign an application and execute a Grant Agreement.
- E.** An applicant shall submit an estimated cost sheet for the scope of work that contains the following information, if applicable:
 - 1. The project title, as designated on the application form;

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2. A list of all land parcels to be acquired, in priority order, with the acreage involved and anticipated dates of acquisition;
3. The hourly rate, title, and name of personnel who will accomplish the project objectives; and
4. The total cost for the entire project proposal with each of the following amounts listed separately:
 - a. Grant monies requested;
 - b. Applicant match for the project, if applicable; and
 - c. Any other sources of funding.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-904. Review of Proposals

- A. Grant proposals are competitive and the Department shall recommend awards based on a proposed project's compatibility with the priorities of the Department, as approved by the Commission, and to the extent that these priorities and factors are consistent with A.R.S. § 17-299.
- B. If applicable, the Department may require an applicant to modify the application prior to awarding an Arizona Wildlife Conservation Fund grant, if the Department determines that the modification is necessary for the successful completion of the project. In these cases, the applicant shall provide the information requested within 10 working days from the date on the notification provided by the Department.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-905. Grant Agreement

- A. Before the Department transfers any funds, the applicant shall sign the Grant Agreement
- B. A participant may request an extension beyond the approved project period by writing to the Department. Requests for an extension shall be submitted by the participant no later than 30 days before the end of the project period. If approved, an extension shall be signed by both the participant and the Department.
- C. Notwithstanding subsection (B), the Department may extend the project period for good cause such as, but not limited to, inclement weather or internal personnel changes.
- D. The Department and the participant may amend the Grant Agreement during the project period. A participant seeking to amend the Grant Agreement shall submit a written request that includes justification to amend the Grant Agreement. The Department shall prepare any approved amendment in writing and both the Department and the participant shall sign the amendment.
- E. If a participant is in default of the Grant Agreement, the Department may:
 1. Terminate the Grant Agreement,
 2. Seek recovery of grant monies awarded, and
 3. Classify the participant as ineligible for Arizona Wildlife Conservation Fund Grants for a period of up to five years.
- F. The Department, at its sole discretion, has the authority to include additional conditions in the Grant Agreement prior to signing the Agreement and through Amendment.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

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Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), 17-299, and 35-214

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-906. Reporting and Recordkeeping Requirements

- A.** A participant shall submit project status reports to the Department as specified in the Grant Agreement. The project status report shall include the following, when applicable:
1. Progress in completing approved work;
 2. Itemized, cumulative project expenditures;
 3. A financial accounting of:
 - a. Arizona Wildlife Conservation Fund Grants;
 - b. Matching funds;
 - c. Donations; and
 - d. Income derived from project funds;
 4. Any delays or problems that may prevent the on-time completion of the project; and
 5. Any other information required by the Department.
- B.** Each participant shall retain and shall contractually require each subcontractor to retain all books, accounts, bank statements, reports, files, and other records that pertain to the acquisition and performance of the contract for a period of five years from the end date of the project period. The Department may inspect and audit participant and subcontractor records as prescribed under A.R.S. § 35-214. Upon the Department's request, a participant or subcontractor shall produce a legible copy of these records.
- C.** At the end of the project period and for each year until the end of the term of public use, a participant shall:
1. Certify compliance with the Grant Agreement; and
 2. Complete a post-completion report form, furnished by the Department.
- D.** A participant shall submit project status reports, as required under this subsection. If a participant fails to submit a project status report, the Department may not release any remaining grant monies until the participant has submitted all past due project status reports.

ARTICLE 11. AQUATIC INVASIVE SPECIES

R12-4-1101. Definitions

In addition to the definitions provided under A.R.S. §§ 5-301 and 17-255, the following definitions apply to this Article, unless otherwise specified:

"Aquatic invasive species" means those species listed in Director's Order 1.

"Certified agent" means a person who meets Department standards to conduct inspections authorized under A.R.S. § 17-255.01(C)(1).

"Conveyance" means a device designed to carry or transport water. Conveyance includes, but is not limited to, dip buckets, water hauling tanks, and water bladders.

"Equipment" means an item used either in or on water; or to carry water. Equipment includes, but is not limited to, trailers used to launch or retrieve watercraft, rafts, inner tubes, kick boards, anchors and anchor lines, docks, dock cables and floats, buoys, beacons, wading boots, fishing tackle, bait buckets, skin diving and scuba diving equipment, submersibles, pumps, sea planes, and heavy construction equipment used in aquatic environments.

"Operator" means a person who operates or is in actual physical control of a watercraft, vehicle, conveyance or equipment.

"Owner" means a person who claims lawful possession of a watercraft, vehicle, conveyance, or equipment.

"Person" has the same meaning as defined under A.R.S. § 1-215.

"Release" means to place, plant, or cause to be placed or planted in

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waters.

“Transporter” means a person responsible for the overland movement of a watercraft, vehicle, conveyance, or equipment.

“Waters” means surface water of all sources, whether perennial or intermittent, in streams, canyons, ravines, drainage systems, canals, springs, lakes, marshes, reservoirs, ponds, and other bodies or accumulations of natural, artificial, public or private waters situated wholly or partly in or bordering this State.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-231(B)(2), 17-255, 17-255.01, 17-255.02, 17-255.03, and 17-255.04

Historical Note

New Section made by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).

R12-4-1102. Aquatic Invasive Species; Prohibitions; Inspection, Decontamination Protocols

- A. A person shall not, unless authorized under Article 4:
1. Possess, import, ship, or transport into or within this State an aquatic invasive species, unless authorized by the Director.
 2. Sell, purchase, barter, or exchange in this State an aquatic invasive species.
 3. Release an aquatic invasive species into waters or into any water treatment facility, water supply or water transportation facility, device or mechanism in this State.
- B. Upon removing a watercraft, vehicle, conveyance, or equipment from any waters listed in Director’s Order 2 and before leaving that location, a person shall:
1. Remove all clinging materials such as plants, animals, and mud.
 2. Remove any plug or other barrier that prevents water drainage or, where none exists, take reasonable measures to drain or dry all compartments or spaces that hold water. Reasonable measures include, but are not limited to, emptying bilges, application of

absorbents, or ventilation.

- C. Before transporting a watercraft, vehicle, conveyance, or equipment to any waters located within or bordering this State from waters or locations where aquatic invasive species are suspected or known to be present, as listed in Director’s Order 2, a person shall comply with the mandatory conditions and protocols identified in Director’s Order 3 for decontamination of watercraft, vehicles, conveyances, and equipment.
- D. Department employees, certified agents, and Arizona peace officers authorized under A.R.S. § 17-104 may inspect a watercraft, vehicle, conveyance, or equipment for the purposes of determining compliance with A.R.S. § Title 17, Chapter 2, Article 3.1 and this Section.
- E. If the presence of an aquatic invasive species is documented or suspected on or in a watercraft, vehicle, conveyance, or equipment, a Department employee or any Arizona peace officer may order the person to decontaminate or cause to be decontaminated such watercraft, vehicles, conveyances, and equipment using the mandatory protocols described in Director’s Order 3.
- F. The following Director’s orders are available at any Department office and online at azgfd.gov:
1. Director’s Order 1 - Listing of Aquatic Invasive Species for Arizona,
 2. Director’s Order 2 - Designation of Waters or Locations Where Listed Aquatic Invasive Species are Present, and
 3. Director’s Order 3 - Mandatory Conditions on the Movement of Watercraft, Vehicles, Conveyances, or Other Equipment from Listed Waters Where Aquatic Invasive Species are Present.
- G. This Section does not apply to owners and operators exempt under A.R.S. § 17-255.04.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-231(B)(2), 17-255, 17-255.01, 17-255.02, 17-255.03, and 17-255.04

Historical Note

New Section made by final rulemaking at 18 A.A.R. 196, effective January

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10, 2012 (Supp. 12-1).